Exhibit Q - Deposition of LVMPD Defendants' police practices expert Sonny Lynch

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            IN THE UNITED STATES DISTRICT COURT
                FOR THE DISTRICT OF KANSAS
2
        ESTATE OF TASHII S.
        FARMER d/b/a TASHII
                                   )
3
        FARMER a/k/a TASHII
        BROWN, by and through
        its Special
4
        Administrator, Lorin
        Michelle Taylor; TAMARA
5
        BAYLEE KUUMEALI'MAKAMAE
6
        FARMER DUARTE, a minor,
        individually and as
7
        Successor-in-
        Interest, by and through
        her legal quardian,
8
        Stevandra Lk Kuanoni;
9
        ELIAS BAY KAIMIPONO
        DUARTE, a minor,
        individually and as
10
        Successor-n-
11
        Interest, by and through
        his legal guardian,
        Stevandra Lk Kuanoni,
12
                Plaintiffs,
                                    ) Case No.
13
        ν.
        LAS VEGAS METROPOLITAN
                                      2:17-cv-01946
        POLICE DEPARTMENT, a
14
        political subdivision of
                                   )
15
        the State of Nevada;
        OFFICE KENNETH LOPERA,
16
        individually and in his
        Official Capacity;
        SERGEANT TRAVIS
17
        CRUMRINE, individually
                                      Date: October 18, 2018
18
        and in his Official
        Capacity; OFFICER
        MICHAEL TRAN,
19
        individually and in his
20
        Official Capacity;
        OFFICER MICHAEL FLORES,
21
        individually and in his
        Official Capacity; and
22
        Does 1 through 50,
        inclusive,
23
                Defendants.
                  VIDEOTAPE TELEPHONIC DEPOSITION OF
24
                    CAPTAIN LAWRENCE G. LYNCH, III
25
        Pages 1 - 83
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3		3	CAPTAIN LAWRENCE G. LYNCH, III
4		4	Examination by Mr. Sayre 6
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6			Examination by Mr. Sayre 79
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11	VIDEOTAPE TELEPHONIC DEPOSITION OF	11	EXHIBITS
12	CAPTAIN LAWRENCE G. LYNCH, III, a Witness, taken	12	NO.: DESCRIPTION: MARKED
13	on behalf of the Plaintiffs, before Jane A.	13	Exhibit 1 Disk of video recording 37
14	Blackerby, MO CCR #877, KS CCR #1369, pursuant to	14	2g
	· · · · · · · · · · · · · · · · · · ·	15	
15	Notice on October 18, 2018, at The Hampton Inn,		
16	900 Kansas, Clinton, Missouri.	16	
17		17	
18		18	
19		19	
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21		21	
22		22	
23		23	
24		24	
25		25	
23	Page 2	25	Page 4
1	APPEARANCES		(5)
	FOR THE PLAINTIFFS:	1	(Deposition commenced at 2:13 p.m.)
3	Mr. Federico C. Sayre	2	THE VIDEOGRAPHER: Good afternoon.
	ABIR COHEN TREYZON SALO, LLP	3	We're going on the record at 2:13 p.m. on 00:00:01
4	1901 Avenue of the Stars	3	
	1901 Avenue of the Stars Suite 935	4	We're going on the record at 2:13 p.m. on 00:00:01
4 5	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067	4	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04
5	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888	4 5 6	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08
5	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067	4 5 6	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11
5 6 7	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888	4 5 6 7 8	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17
5 6 7	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER	4 5 6 7 8 E 9	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19
5 6 7 8 9	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES:	4 5 6 7 8 E 9	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22
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5 6 7 8 9	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING	4 5 6 7 8 E 9 10 11	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27
5 6 7 8 9 10 11	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING 10001 Park Run Drive	4 5 6 7 8 E 9 10	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27 recorded deposition of Captain Lawrence G. Lynch, 00:00:29
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5 6 7 8 9 10 11 12 13	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 702.382.0711	4 5 6 7 8 E 9 10 11 12	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27 recorded deposition of Captain Lawrence G. Lynch, 00:00:29
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5 6 7 8 9 10 11 12 13 14 15	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 702.382.0711	4 5 6 7 8 EE 9 10 11 12 13 14	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27 recorded deposition of Captain Lawrence G. Lynch, 00:00:29 III taken by counsel for the Plaintiff in the 00:00:33 matter of the Estate of Tashii S. Farmer, et al. 00:00:34
5 6 7 8 9 10 11 12 13 14 15	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 702.382.0711 canderson@maclaw.com FOR THE DEFENDANT OFFICER KENNETH LOPERA: Mr. Daniel R. McNutt	4 5 6 7 8 E 9 10 11 12 13 14 15	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27 recorded deposition of Captain Lawrence G. Lynch, 00:00:29 III taken by counsel for the Plaintiff in the 00:00:33 matter of the Estate of Tashii S. Farmer, et al. 00:00:34 versus Las Vegas Metropolitan Police Department, 00:00:38
5 6 7 8 9 10 11 12 13 14 15 16	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 702.382.0711 canderson@maclaw.com FOR THE DEFENDANT OFFICER KENNETH LOPERA: Mr. Daniel R. McNutt MCNUTT LAW FIRM	4 5 6 7 8 EE 9 10 11 12 13 14 15 16 17	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27 recorded deposition of Captain Lawrence G. Lynch, 00:00:29 III taken by counsel for the Plaintiff in the 00:00:33 matter of the Estate of Tashii S. Farmer, et al. 00:00:34 versus Las Vegas Metropolitan Police Department, 00:00:38 et al., filed in the United States District 00:00:42 Court, District of Nevada. This deposition is 00:00:43
5 6 7 8 9 10 11 12 13 14 15 16 17 18	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 702.382.0711 canderson@maclaw.com FOR THE DEFENDANT OFFICER KENNETH LOPERA: Mr. Daniel R. McNutt MCNUTT LAW FIRM 625 South Eight Street	4 5 6 7 8 EE 9 10 11 12 13 14 15 16 17 18	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27 recorded deposition of Captain Lawrence G. Lynch, 00:00:29 III taken by counsel for the Plaintiff in the 00:00:33 matter of the Estate of Tashii S. Farmer, et al. 00:00:34 versus Las Vegas Metropolitan Police Department, 00:00:38 et al., filed in the United States District 00:00:42 Court, District of Nevada. This deposition is 00:00:43 being held at the Hampton Inn located at 900 00:00:46
5 6 7 8 9 10 11 12 13 14 15 16 17 18	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 702.382.0711 canderson@maclaw.com FOR THE DEFENDANT OFFICER KENNETH LOPERA: Mr. Daniel R. McNutt MCNUTT LAW FIRM 625 South Eight Street Las Vegas, Nevada 89101	4 5 6 7 8 EE 9 10 11 12 13 14 15 16 17 18 19 20	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27 recorded deposition of Captain Lawrence G. Lynch, 00:00:29 III taken by counsel for the Plaintiff in the 00:00:33 matter of the Estate of Tashii S. Farmer, et al. 00:00:34 versus Las Vegas Metropolitan Police Department, 00:00:38 et al., filed in the United States District 00:00:42 Court, District of Nevada. This deposition is 00:00:46 Kansas Avenue in Clinton, Missouri. 00:00:50
5 6 7 8 9 10 11 12 13 14 15 16 17 18	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 702.382.0711 canderson@maclaw.com FOR THE DEFENDANT OFFICER KENNETH LOPERA: Mr. Daniel R. McNutt MCNUTT LAW FIRM 625 South Eight Street Las Vegas, Nevada 89101 702.384.1170	4 5 6 7 8 E 9 10 11 12 13 14 15 16 17 18 19 20	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27 recorded deposition of Captain Lawrence G. Lynch, 00:00:29 III taken by counsel for the Plaintiff in the 00:00:33 matter of the Estate of Tashii S. Farmer, et al. 00:00:34 versus Las Vegas Metropolitan Police Department, 00:00:38 et al., filed in the United States District 00:00:42 Court, District of Nevada. This deposition is 00:00:43 being held at the Hampton Inn located at 900 00:00:46 Kansas Avenue in Clinton, Missouri. 00:00:53
5 6 7 8 9 10 11 12 13 14 15 16 17 18	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 702.382.0711 canderson@maclaw.com FOR THE DEFENDANT OFFICER KENNETH LOPERA: Mr. Daniel R. McNutt MCNUTT LAW FIRM 625 South Eight Street Las Vegas, Nevada 89101	4 5 6 7 8 EE 9 10 11 12 13 14 15 16 17 18 19 20	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27 recorded deposition of Captain Lawrence G. Lynch, 00:00:29 III taken by counsel for the Plaintiff in the 00:00:33 matter of the Estate of Tashii S. Farmer, et al. 00:00:34 versus Las Vegas Metropolitan Police Department, 00:00:38 et al., filed in the United States District 00:00:42 Court, District of Nevada. This deposition is 00:00:43 being held at the Hampton Inn located at 900 00:00:50 My name is Kimberly Lauer from the firm 00:00:53 Veritext Legal Solutions, and I'm the 00:00:56
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 702.382.0711 canderson@maclaw.com FOR THE DEFENDANT OFFICER KENNETH LOPERA: Mr. Daniel R. McNutt MCNUTT LAW FIRM 625 South Eight Street Las Vegas, Nevada 89101 702.384.1170 drm@mcnuttlawfirm.com	4 5 6 7 8 E 9 10 11 12 13 14 15 16 17 18 19 20	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27 recorded deposition of Captain Lawrence G. Lynch, 00:00:29 III taken by counsel for the Plaintiff in the 00:00:33 matter of the Estate of Tashii S. Farmer, et al. 00:00:34 versus Las Vegas Metropolitan Police Department, 00:00:38 et al., filed in the United States District 00:00:42 Court, District of Nevada. This deposition is 00:00:43 being held at the Hampton Inn located at 900 00:00:46 Kansas Avenue in Clinton, Missouri. 00:00:53
5 6 7 8 9 10 11 12 13 14 15 16 17 18	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 702.382.0711 canderson@maclaw.com FOR THE DEFENDANT OFFICER KENNETH LOPERA: Mr. Daniel R. McNutt MCNUTT LAW FIRM 625 South Eight Street Las Vegas, Nevada 89101 702.384.1170	4 5 6 7 8 EE 9 10 11 12 13 14 15 16 17 18 19 20 21	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27 recorded deposition of Captain Lawrence G. Lynch, 00:00:29 III taken by counsel for the Plaintiff in the 00:00:33 matter of the Estate of Tashii S. Farmer, et al. 00:00:34 versus Las Vegas Metropolitan Police Department, 00:00:38 et al., filed in the United States District 00:00:42 Court, District of Nevada. This deposition is 00:00:43 being held at the Hampton Inn located at 900 00:00:50 My name is Kimberly Lauer from the firm 00:00:53 Veritext Legal Solutions, and I'm the 00:00:56
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	1901 Avenue of the Stars Suite 935 Los Angeles, California 90067 310.407.7888 fsayre@actslaw.com FOR THE DEFENDANT LAS VEGAS METROPOLITAN POLIC DEPARTMENT, SERGEANT TRAVIS CRUMRINE, OFFICER MICHAEL TRAN AND OFFICER MICHAEL FLORES: Mr. Craig R. Anderson MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 702.382.0711 canderson@maclaw.com FOR THE DEFENDANT OFFICER KENNETH LOPERA: Mr. Daniel R. McNutt MCNUTT LAW FIRM 625 South Eight Street Las Vegas, Nevada 89101 702.384.1170 drm@mcnuttlawfirm.com THE VIDEOGRAPHER:	4 5 6 7 8 EE 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	We're going on the record at 2:13 p.m. on 00:00:01 Thursday, October 18th, 2018. Please note that 00:00:04 the microphones are sensitive and may pick up 00:00:08 whispering, private conversations and cellular 00:00:11 interference. Please turn off all cell phones or 00:00:15 place them away from the microphones as they can 00:00:17 interfere with the deposition audio. Audio and 00:00:19 video recording will continue to take place 00:00:22 unless all parties agree to go off the record. 00:00:24 This is media unit 1 of the video 00:00:27 recorded deposition of Captain Lawrence G. Lynch, 00:00:29 III taken by counsel for the Plaintiff in the 00:00:33 matter of the Estate of Tashii S. Farmer, et al. 00:00:34 versus Las Vegas Metropolitan Police Department, 00:00:38 et al., filed in the United States District 00:00:42 Court, District of Nevada. This deposition is 00:00:43 being held at the Hampton Inn located at 900 00:00:50 My name is Kimberly Lauer from the firm 00:00:53 Veritext Legal Solutions, and I'm the 00:00:56 videographer. Our court reporter is Jane 00:00:57

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Page 6	
1 Police Department and several individual 00:02:17 1 A. This is the first one.	Page 8
·	0:05:05
2 officers, and I understand that you have been 00:02:19 2 Q. How many times have you testifie	d in 00:05:07
3 designated as an expert witness by the 00:02:22 3 court as an expert witness?	00:05:16
4 Metropolitan Police Department and by Officer 00:02:25 4 A. I have not. 00:0	5:19
5 Lopera. Is that correct? 00:02:30 5 Q. How did you come up with \$2,000	a day 00:05:20
6 A. Yes. 00:02:30 6 for giving a deposition?	00:05:28
7 Q. Could you tell me, please, your present 00:02:31 7 A. I just I have a friend who does i	, 00:05:31
8 profession or occupation. 00:02:37 8 and he provided me his course fee or his	fee 00:05:34
9 A. I'm the Deputy Chief of Police in 00:02:37 9 schedule. 00:05	:38
10 Clinton, Missouri. I'm also a trainer. Sorry. 00:02:41 10 Q. And what type of expert is that fri	end? 00:05:38
11 Q. Sorry. 00:02:52 11 A. He's an he does use of force cas	es 00:05:45
12 A. I'm also a trainer. I teach. I travel 00:02:53 12 and, you know, policy cases and stuff lik	e that. 00:05:51
13 around and do seminars, and I teach at the 00:02:56 13 He's a major on the Kansas City, Missou	i Police 00:05:56
14 University of Central Missouri at the police 00:02:58 14 Department. 00:0	06:00
15 academy. But my main job is I'm the Deputy Chief 00:03:00 15 Q. So is it fair to say that you've never	r 00:06:00
16 here in Clinton. 00:03:07 16 charged anybody ever \$2,000 a day to gi	ve your 00:06:08
17 Q. Now, you've been listed as Captain 00:03:08 17 deposition? 00:0	6:13
18 Lynch. Should I be referring to you as chief 00:03:13 18 A. No. I have not. 00	:06:13
19 Lynch? 00:03:17 19 MR. SAYRE: Mr. Anderson, I -	you 00:06:27
20 A. No, captain is fine. That's that's 00:03:17 20 and I need to discuss this. I'm prepared t	o pay 00:06:29
21 kind of a weird rank system here, but yeah, 00:03:20 21 a reasonable rate. I do not consider \$2,00	00 a 00:06:32
22 that's my rank. 00:03:24 22 day to be a reasonable rate. It carries with	
23 Q. Your rank is captain, but you're the 00:03:25 23 a time that I'm not certainly going to use	
24 Deputy Chief of Police? 00:03:28 24 that Mr. McNutt is going to use to questi	on 00:06:42
· · · · · · · · · · · · · · · · · · ·	00.00.74
25 A. Yeah. That's my job, my duties. 00:03:29 25 Captain Lynch, but we'll go forward sim	

1	indicating that I dispute the fee. I think it's 00:06:48	1	I would have to follow up with questions like do 00:09:07
2	an unreasonable fee. Do you understand my 00:06:50	2	you mean yes or do you mean no. So in order to 00:09:10
3	position? 00:06:53	3	avoid that, please continue to answer out loud. 00:09:13
4	MR. ANDERSON: We'll see how long 00:06:5	3 4	Will you do that, please? 00:09:15
5	it goes. We'll talk. 00:06:54	5	A. Yes. 00:09:16
6	Q. (By Mr. Sayre) Okay. Now, Captain, 00:06:56	6	Q. If you don't understand a question, 00:09:17
7	when were you first contacted with regard to this 00:07:01	7	don't answer it. Tell me you don't understand 00:09:20
8	case? 00:07:03	8	it, ask me to repeat it or rephrase it or in some 00:09:23
9	A. I believe it was in April possibly. 00:07:03	9	way indicate it was not understood, and I'll do 00:09:28
10	Q. April of what year? 00:07:10	10	my best to frame it in a way that's 00:09:30
11	A. Well, let's see. Let's go back. I did 00:07:13	11	understandable. If you answer a question, I'm 00:09:32
12	it wasn't April. It would have been in 00:07:18	12	going to assume that you've understood it. Is 00:09:36
13	December of last year. I believe that was when I 00:07:20	13	that fair enough? 00:09:39
14	first was contacted. 00:07:23	14	A. Yes. 00:09:39
15	Q. December of 2000 I'm sorry. 00:07:24	15	Q. Please wait until I finish my question 00:09:40
16	A. Yeah, 20 it was 2017. 00:07:27	16	before you start your answer, and I'll wait and 00:09:45
17	Q. Okay. 00:07:29	17	give you the same courtesy. I'll wait until you 00:09:49
18	A. I didn't mean to interrupt. 00:07:29	18	finish your answer before 1 start my next 00:09:52
19	Q. Okay. All right. Let me let me just 00:07:30	19	question. Besides simply being courteous, it's 00:09:55
20	kind of give you some ground rules for the 00:07:33	20	difficult for the court reporter to take down two 00:09:59
21	deposition that may be helpful to you. You're 00:07:38	21	people who are speaking at the same time. Do you 00:10:02
22	sworn to tell the truth, and although we're in 00:07:41	22	understand that? 00:10:04
23	different cities and in sort of informal 00:07:45	23	A. Yes. 00:10:05
24	circumstances, you understand that oath is 00:07:48	24	Q. Okay. I don't expect this to be a 00:10:05
25	binding on you as if you were in a court of law? 00:07:52	25	lengthy deposition, at least my portion of it, 00:10:14
	Page 10		Page 12
ı	A. Yes. 00:07:56	1	but if at anytime that you should wish to take a 00:10:18
2	Q. Everything that is said by everybody at 00:07:57	2	break, use the facilities, what have you, just 00:10:22
3	anytime today will be taken down by the court 00:07:59	3	let me know and your request will be honored. Do 00:10:25
4	reporter. The court reporter will then have it 00:08:01	4	you understand? 00:10:29
5	typed up into a booklet form in a couple of 00:08:05	5	A. I do. 00:10:29
6	weeks, and you'll be given an opportunity to read 00:08:08	6	Q. I would only ask that if there is a 00:10:30
7	and review that booklet form. And at the time 00:08:11	7	question pending, that you answer the question 00:10:33
8	that you read and review it, you could actually 00:08:16	8	before we take the break. Will you do that, 00:10:36
9	change anything that you said during the course 00:08:19	9	please? 00:10:38
	of the deposition. Do you understand that? 00:08:22	10	A. Yes. 00:10:39
11	A. Yes. 00:08:23	11	Q. Have you taken any kind of alcohol, any 00:10:39
12	Q. However, if you change something that's 00:08:24	12	kind of medication, any kind of intoxicant in the 00:10:47
13		13	last 24 hours that would affect your ability to 00:10:51
14		14	give your best response here today? 00:10:54
15	could prove embarrassing to you if not damaging 00:08:36	15	A. No. 00:10:57
16	to your client's case. Do you understand that? 00:08:39	16	Q. During the course of the deposition I 00:11:01
17	A. I do. 00:08:41	17	may ask you questions that have to do with time, 00:11:03
18	Q. So we ask you to give your best response 00:08:41	18	dates or perhaps instances and you may or may not 00:11:09
19		19	have an exact answer to my question. But even if 00:11:15
20	A. Yes, I will. 00:08:48	20	you don't have an exact answer, you may have a 00:11:19
21	Q. Now, just as you've been doing nicely up 00:08:48	21	reasonable estimate. Please understand that if 00:11:21
22	until now, please continue to answer out loud. 00:08:53	22	you don't have an exact answer to my question, I 00:11:25
23	Such common expressions as uh-huh, huh-uh or nods 00:08:56	23	am still entitled to your best estimate. Will 00:11:29
24	of the head or shakes of the head are too 00:09:01	24	you give your best estimate if you don't have an 00:11:32
25		25	
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. 1	A. Yes. 00:11:37	1	Q. So is it fair to say that if something 00:14:13
2	Q. However, if it is a guess, I'm not 00:11:38	2	is excessive force, it is a Fourth Amendment 00:14:19
3	entitled to have you guess. The difference 00:11:44	3	violation? 00:14:25
4	between a guess and an estimate are not always 00:11:47	4	A. Well, I think there might be more things 00:14:26
5	clear, but one well used example is if I ask you 00:11:50	5	to consider than just that, but yeah, I would 00:14:28
6	to estimate the length of the table that you're 00:11:55	6	agree with that in general. 00:14:33
7	sitting at where you are located in the Hampton 00:11:59	7	Q. Okay. Now, let me ask you to turn to 00:14:34
8	Inn in Clinton, Missouri, you can see the table. 00:12:03	8	your opinion No. 8. 00:14:42
9	You have a life experience with feet and inches 00:12:06	9	A. Okay. 00:14:51
10	or meters and centimeters. You could probably 00:12:09	10	Q. All right. Your opinion is that the 00:14:52
11	give a reasonable estimate of the length of the 00:12:11	11	neck restraint that was used by Officer Kenneth 00:14:59
12	table, but if I ask you to give an estimate of my 00:12:13	12	Lopera was not a lateral vascular neck restraint. 00:15:03
13	dining room table in Irvine, California, it would 00:12:18	13	Is that correct? 00:15:09
14	have to be a pure guess because you've never been 00:12:23	14	A. Yes, that's correct. 00:15:10
15	in my home. Do you understand? 00:12:25	15	Q. All right. You believe that it was a 00:15:11
16	A. Yes. 00:12:26	16	rear naked choke. Is that correct? 00:15:17
17	Q. So estimates good, guesses bad. You 00:12:27	17	A. Yes. 00:15:20
18	understand that? 00:12:32	18	Q. Right. Well, let's discuss a moment 00:15:20
19	A. I do. 00:12:33	19	your background with regard to a rear naked 00:15:26
20	Q. Okay. Do you have any questions before 00:12:34	20	choke. Tell me, please, what training or 00:15:30
21	we start the questioning in your deposition? 00:12:39	21	education you have received concerning a rear 00:15:36
22	A. I do not. 00:12:42	22	
23	Q. Okay. You said no, but I didn't quite 00:12:43	23	A. Well, I started my my education in 00:15:41
24	hear it. 00:12:48	24	ground defense control tactics in the early 00:15:46
25	A. I do not have any questions. 00:12:48	25	Nineties with a trainer out of Rhode Island. His 00:15:49
	Page 14		Page 16
1	Q. Okay. Thank you. All right. Captain 00:12:49	1	name is Brad Inman. He's a national trainer for 00:15:52
2		2	the National Law Enforcement Training Center that 00:15:55
3	could draw your attention to that, please. 00:13:09	3	I'm currently president of. His ground defense 00:15:58
4	A. Okay. 00:13:10	4	control tactics system is one of our our 00:16:01
5	Q. You utilize a Graham versus Connor 00:13:11	_	
		5	systems that we certify people as trainers in. 00:16:04
6	analysis in discussing the constitutionality of 00:13:17	6	systems that we certify people as trainers in. 00:16:04 As part part of my education around 00:16:07
6	analysis in discussing the constitutionality of 00:13:17 the use of force. Is that correct? 00:13:22		As part part of my education around 00:16:07
	the use of force. Is that correct? 00:13:22	6	As part part of my education around 00:16:07
7 8	the use of force. Is that correct? 00:13:22 A. The use of force policy is what I was 00:13:24	6 7	As part part of my education around 00:16:07 Brad Inman and the development of that program, 00:16:11 he showed me on numerous occasions several 00:16:17
7 8 9	the use of force. Is that correct? 00:13:22 A. The use of force policy is what I was 00:13:24 talking about. 00:13:29	6 7 8 9	As part part of my education around 00:16:07 Brad Inman and the development of that program, 00:16:11 he showed me on numerous occasions several 00:16:17 different types of neck restraints, and we were 00:16:19
7 8 9 10	the use of force. Is that correct? 00:13:22 A. The use of force policy is what I was 00:13:24 talking about. 00:13:29 Q. Right. Use of force policy? 00:13:30	6 7 8 9 10	As part part of my education around 00:16:07 Brad Inman and the development of that program, 00:16:11 he showed me on numerous occasions several 00:16:17 different types of neck restraints, and we were 00:16:19 we went over several different types of neck 00:16:23
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7 8 9 10 11 12	the use of force. Is that correct? 00:13:22 A. The use of force policy is what I was 00:13:24 talking about. 00:13:29 Q. Right. Use of force policy? 00:13:30 A. Yeah. 00:13:31 Q. And Graham versus Connor, are you 00:13:33	6 7 8 9 10 11 12	As part part of my education around 00:16:07 Brad Inman and the development of that program, 00:16:11 he showed me on numerous occasions several 00:16:17 different types of neck restraints, and we were 00:16:19 we went over several different types of neck 00:16:23 restraints that he used in his programs out in 00:16:26 Rhode Island, and compared them to the lateral 00:16:28
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	the use of force. Is that correct? 00:13:22 A. The use of force policy is what I was 00:13:24 talking about. 00:13:29 Q. Right. Use of force policy? 00:13:30 A. Yeah. 00:13:31 Q. And Graham versus Connor, are you 00:13:33 familiar with that case? 00:13:36 A. I am. 00:13:37 Q. All right. It contains a number of 00:13:37 factors in determining whether or not the force 00:13:41 used in a certain situation was objectively 00:13:46 reasonable. Correct? 00:13:52 Q. All right. Now, another way of saying 00:13:52 it is if the force used is not objectively 00:14:01 reasonable, it is a violation of the Fourth 00:14:06	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	As part — part of my education around 00:16:07 Brad Inman and the development of that program, 00:16:11 he showed me on numerous occasions several 00:16:17 different types of neck restraints, and we were 00:16:19 — we went over several different types of neck 00:16:23 restraints that he used in his programs out in 00:16:26 Rhode Island, and compared them to the lateral 00:16:28 vascular neck restraint system which was part of 00:16:33 the National Law Enforcement Training Center. 00:16:35 Eventually, you know, his — his program morphed 00:16:38 into one of our instructor trainer programs that 00:16:41 does include the LVNR. 00:16:44 However, during those days and since 00:16:46 I've been exposed to a rear naked choke in 00:16:59 familiar with the rear naked choke, and in 00:17:02
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	the use of force. Is that correct? 00:13:22 A. The use of force policy is what I was 00:13:24 talking about. 00:13:29 Q. Right. Use of force policy? 00:13:30 A. Yeah. 00:13:31 Q. And Graham versus Connor, are you 00:13:33 familiar with that case? 00:13:36 A. I am. 00:13:37 Q. All right. It contains a number of 00:13:37 factors in determining whether or not the force 00:13:41 used in a certain situation was objectively 00:13:46 reasonable. Correct? 00:13:51 A. Correct. 00:13:52 Q. All right. Now, another way of saying 00:13:52 it is if the force used is not objectively 00:14:01 reasonable, it is a violation of the Fourth 00:14:06 Amendment to the Constitution of the United 00:14:16	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	As part — part of my education around 00:16:07 Brad Inman and the development of that program, 00:16:11 he showed me on numerous occasions several 00:16:17 different types of neck restraints, and we were 00:16:19 — we went over several different types of neck 00:16:23 restraints that he used in his programs out in 00:16:26 Rhode Island, and compared them to the lateral 00:16:28 vascular neck restraint system which was part of 00:16:33 the National Law Enforcement Training Center. 00:16:35 Eventually, you know, his — his program morphed 00:16:38 into one of our instructor trainer programs that 00:16:41 does include the LVNR. 00:16:44 However, during those days and since 00:16:46 I've been exposed to a rear naked choke in 00:16:59 different grappling sessions informal with — 00:16:59 familiar with the rear naked choke, and in 00:17:02 addition to that, I've — I've been around it in 00:17:05
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	the use of force. Is that correct? 00:13:22 A. The use of force policy is what I was 00:13:24 talking about. 00:13:29 Q. Right. Use of force policy? 00:13:30 A. Yeah. 00:13:31 Q. And Graham versus Connor, are you 00:13:33 familiar with that case? 00:13:36 A. I am. 00:13:37 Q. All right. It contains a number of 00:13:37 factors in determining whether or not the force 00:13:41 used in a certain situation was objectively 00:13:46 reasonable. Correct? 00:13:51 A. Correct. 00:13:52 Q. All right. Now, another way of saying 00:13:52 it is if the force used is not objectively 00:14:01 reasonable, it is a violation of the Fourth 00:14:06 Amendment to the Constitution of the United 5tates. Correct? 00:14:12	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	As part part of my education around 00:16:07 Brad Inman and the development of that program, 00:16:11 he showed me on numerous occasions several 00:16:17 different types of neck restraints, and we were 00:16:19 we went over several different types of neck 00:16:23 restraints that he used in his programs out in 00:16:26 Rhode Island, and compared them to the lateral 00:16:28 vascular neck restraint system which was part of 00:16:33 the National Law Enforcement Training Center. 00:16:35 Eventually, you know, his his program morphed 00:16:38 into one of our instructor trainer programs that 00:16:41 does include the LVNR. 00:16:44 However, during those days and since 00:16:49 different grappling sessions informal with 00:16:59 familiar with the rear naked choke, and in 00:17:02 addition to that, I've I've been around it in 00:17:05 social media, as far as programming goes with 00:17:09
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25 and in that fashion, but the reality of it was 00:19:52 25 demonstrate it, so I've demonstrated it on 00:22:25		
Page 19 Page 21	1	The state of the s

1	numerous occasions. 00:22:29	1	*
2	Q. And can you tell us, please, the steps 00:22:29		neck restraint? 00:25:31
3	that go into applying a rear naked choke? 00:22:36	3	A. Well, you know, all of our studies that 00:25:32
4	A. Well, the first thing that you need to 00:22:39	4	we've done at the National Law Enforcement 00:25:35
5	accomplish is you need to be chest to back with 00:22:43	5	Training Center tell us about four to seven 00:25:37
6	your opponent. You need to be behind them to get 00:22:46	6	seconds. That's an average. But you know, 00:25:40
7	that to get that accomplished. Then the 00:22:49	7	things can vary depending upon, you know, a lot 00:25:43
8	encirclement of the neck. It could be your left 00:22:54	8	of different variables when you're grappling with 00:25:46
9	arm or your right arm. As you encircle the 00:22:57	9	somebody. But about four to seven seconds. 00:25:49
10	subject's neck you attempt to line up your elbow 00:23:00	10	Q. Do you know how long I'm sorry, 00:25:53
11	with their chin, so that pressure's not being 00:23:02	11	pardon me. 00:25:54
12	applied to their airway. 00:23:08	12	A. About four to seven seconds is is how 00:25:55
13	And as the encircling arm comes around, 00:23:10	13	long it takes. 00:25:57
14	it makes contact usually with the biceps of the 00:23:15	14	Q. All right. How long does it take to 00:25:57
15	non-encircling arm. The hand of the 00:23:19	15	render somebody unconscious by the use of the 00:26:00
16	non-encircling arm goes to the back of the 00:23:23	16	rear naked choke? 00:26:02
17	subject's head. Some people do palm to head, 00:23:25	17	A. I don't know. 00:26:04
18	some people do back of the back of the hand to 00:23:28	18	Q. Is it longer or shorter than the lateral 00:26:04
19	head. Once that's accomplished, you know, you're 00:23:30	19	vascular neck restraint? 00:26:11
20	going to compress and pull your elbows in to 00:23:34	20	A. I just really couldn't give you an 00:26:13
21	apply bilateral compression to the sides of your 00:23:38	21	accurate an accurate answer on that. I don't 00:26:15
22	opponent's neck. 00:23:42	22	have any empirical data on a rear naked choke, 00:26:18
23	Q. The rear naked choke is similar to the 00:23:42	23	and I do I do have empirical data on the LVNR, 00:26:21
24	lateral vascular neck restraint in that both are 00:23:56	24	but not on a rear naked choke. I think 00:26:25
25	blunt chokes. Correct? 00:24:01	25	Q. All right. 00:26:28
<u></u>	Page 22		Page 24
1	A. Yeah, that term would be agreeable. 00:24:03	1	A. I know there's some there's some 00:26:28
2	It both of them affect the circulatory system 00:24:08	2	Japanese research that was done. I did see one 00:26:30
3	and you and apply bilateral compression to the 00:24:12	3	study, and it was essentially a rear naked choke 00:26:33
4	sides of the neck and reduce blood flow through 00:24:17	4	that was being applied, and I believe that their 00:26:37
5	the veins and arteries. 00:24:20	5	results were a little bit longer. It was in the 00:26:42
6	Q. The idea is to put pressure on the 00:24:22	6	5 to 20 second range, but I could be I could 00:26:44
7	carotid, the jugular and the vagus nerves? 00:24:28	7	be wrong about that, but I think that's that's 00:26:50
8	A. Yes. You know, some of those are 00:24:32	8	what I saw from the Japanese research study that 00:26:53
9	affected. It just depends on how much 00:24:34	9	was done back in the 1950s. 00:26:56
10	compression you're applying, but certainly the 00:24:36	10	Q. All right. So let's let's kind of 00:26:58
11	the arteries and the veins are affected. 00:24:40	11	look at the two of them together, the rear naked 00:27:03
12	Q. Okay. Have you ever rendered somebody 00:24:42	12	choke and the lateral vascular neck restraint. 00:27:05
13	unconscious by the use of the rear naked choke? 00:24:48	13	Both of them share the common characteristics 00:27:09
14	A. No. 00:24:51	14	that they put bilateral pressure on both sides of 00:27:12
15	Q. Have you ever rendered somebody 00:24:54	15	the neck. True? 00:27:15
16	unconscious by the use of the lateral vascular 00:24:56	16	A. True. 00:27:16
17	neck restraint? 00:24:58	17	Q. Both of them do not put pressure on the 00:27:16
18	A. Yes. 00:24:59	18	trachea. True? 00:27:23
19	Q. On how many occasions? 00:24:59	19	A. True. 00:27:24
20	A. I've got a 32 year career. I you 00:25:03	20	Q. All right. So where is the difference 00:27:25
21	know, in training it's been an accidental thing 00:25:10	21	in the application between the lateral vascular 00:27:31
22	on two occasions, so I do remember those. As far 00:25:12	22	neck restraint and the rear naked choke? 00:27:34
23	as my law enforcement career, probably around a 00:25:16	23	A. The difference lies in in the safety 00:27:37
24	dozen, a dozen times. 00:25:19	24	features of the lateral vascular neck restraint 00:27:42
25	Q. How long does it take to render somebody 00:25:21	25	system. We have a system in our methodology in 00:27:45
1	Page 23	1	Page 25

1	place that that greatly discourages the 00:27:50	1	forearm is placed across the front of the throat 00:30:58
2	technique deteriorating into a bar arm choke. 00:27:55	2	and the pressure is applied to the front 00:31:00
3	Q. And what do you mean by that? 00:27:58	3	structures of the throat instead of the sides of 00:31:03
4	A. Primarily it's what we refer to in the 00:28:05	4	the neck. 00:31:06
5	lateral vascular neck restraint system as the 00:28:09	5	Q. So that would be pressure on the 00:31:06
6	neck brace principle. When a subject's neck is 00:28:12	6	trachea? 00:31:11
7	encircled and their chin is aligned with the 00:28:17	7	A. Yes, and larynx. 00:31:11
8	practitioner's elbow or the officer's elbow, 00:28:20	8	Q. And larynx. And that potentially leads 00:31:13
9	that that ensures bilateral compression on the 00:28:24	9	to asphyxia. Correct? 00:31:17
10	sides of the neck. The officer's encircling hand 00:28:28	10	A. It can lead to asphyxiation. It can 00:31:19
11	is palm down, and then it's joined by the 00:28:32	11	lead to other damages, fractures to the to the 00:31:22
12	officer's rear hand. The side of the officer's 00:28:34	12	structures in the front of the throat. 00:31:25
13	head is placed against the back of of the 00:28:38	13	Q. Have you reviewed well, let's talk 00:31:26
14	subject's head. 00:28:41	14	about what you reviewed. What have you reviewed 00:31:38
15	As the officer pulls to the rear and has 00:28:44	15	in preparing your opinions in this case? 00:31:40
16	that two handed grip that's essentially behind 00:28:47	16	A. Well, I, of course, reviewed the 00:31:42
17	the subject's head at that point, it creates a 00:28:50	17	policies that I rendered an opinion on. All of 00:31:46
18	biomechanical cervical collar, if you will, or a 00:28:55	18	the policies that I rendered opinion on, the use 00:31:49
19	C collar. People are familiar with those. You 00:29:00	19	of force policy and the arrest policy. I looked 00:31:51
20	see them if you get in a car wreck and, you know, 00:29:0		at their training policies. I reviewed all of 00:31:55
21	they suspect that you might have hurt your neck, 00:29:04	ĺ	the video that that we had access to, and 00:31:59
22	they put that on you. What that does is it stops 00:29:07	22	Officer Lopera's body camera. You know, then 00:32:04
23	the side to side action of your head as if you 00:29:11	23	there was an overhead video at the Venetian Hotel 00:32:09
24	were shaking your head no. It doesn't allow that 00:29:14		and then there was a video that was shot 00:32:13
25	movement of your cervical vertebrae. 00:29:17	25	
	Page 26		Page 28
1	In the same sense, the neck brace 00:29:22	1	read some different articles and news items 00:32:24
2	principle does the same thing. It makes it very 00:29:24	2	pertaining to this case, too. Watched some local 00:32:28
3	difficult for that side to side movement of the 00:29:27	3	news video from out in Las Vegas, things like 00:32:31
4	head. So it stabilizes the neck. It locks the 00:29:31	4	that. 00:32:36
5	cervical vertebrae in place and holds it still 00:29:35	5	Q. Did you review sorry. Pardon me for 00:32:37
6	and safe while bilateral compression is applied 00:29:39	6	interrupting you. 00:32:40
7	to the sides of the neck. The airway is 00:29:42	7	A. No, that's it. 00:32:40
8	protected in front of or behind the officer's 00:29:47	8	Q. Did you review the arrest report? 00:32:43
9	elbow, and that's why you don't get pressure to 00:29:52	9	A. I don't believe I did. 00:32:45
10	the front of the airway. 00:29:55	10	Q. Was it 00:32:52
11	The neck brace principle is one of the 00:29:56	11	A. You mean, as far as you mean the 00:32:52
12		12	
	things that we credit. We give a great deal of 00:29:59		incident report? The written? 00:32:54
13	credit to the neck brace principle for the LVNR 00:30:06		Q. The incident report. 00:32:56
13 14	credit to the neck brace principle for the LVNR 00:30:06 safety record. We believe that's one of the 00:30:09	13 14	Q. The incident report. 00:32:56A. The written incident report, yes. 00:32:58
13	credit to the neck brace principle for the LVNR 00:30:06 safety record. We believe that's one of the 00:30:09 things that makes it a very safe, teachable 00:30:11	13	 Q. The incident report. 00:32:56 A. The written incident report, yes. 00:32:58 Q. Okay. I think they call it, I don't 00:33:00
13 14 15 16	credit to the neck brace principle for the LVNR 00:30:06 safety record. We believe that's one of the things that makes it a very safe, teachable 00:30:11 technique and usable on the street. 00:30:14	13 14 15 16	 Q. The incident report. 00:32:56 A. The written incident report, yes. 00:32:58 Q. Okay. I think they call it, I don't 00:33:00 know why, but they call it arrest report in this 00:33:04
13 14 15 16 17	credit to the neck brace principle for the LVNR 00:30:06 safety record. We believe that's one of the 00:30:09 things that makes it a very safe, teachable 00:30:11 technique and usable on the street. 00:30:14 Q. Now, without this neck brace principle, 00:30:18	13 14 15 16 17	Q. The incident report. 00:32:56 A. The written incident report, yes. 00:32:58 Q. Okay. I think they call it, I don't 00:33:00 know why, but they call it arrest report in this 00:33:04 situation. 00:33:07
13 14 15 16 17 18	credit to the neck brace principle for the LVNR 00:30:06 safety record. We believe that's one of the 00:30:09 things that makes it a very safe, teachable 00:30:11 technique and usable on the street. 00:30:14 Q. Now, without this neck brace principle, 00:30:18 you believe there's a danger that a rear naked 00:30:29	13 14 15 16	Q. The incident report. 00:32:56 A. The written incident report, yes. 00:32:58 Q. Okay. I think they call it, I don't 00:33:00 know why, but they call it arrest report in this 00:33:04 situation. 00:33:07 A. Okay. 00:33:07
13 14 15 16 17	credit to the neck brace principle for the LVNR 00:30:06 safety record. We believe that's one of the 00:30:09 things that makes it a very safe, teachable 00:30:11 technique and usable on the street. 00:30:14 Q. Now, without this neck brace principle, 00:30:18 you believe there's a danger that a rear naked 00:30:29 choke could deteriorate into a what? 00:30:32	13 14 15 16 17	Q. The incident report. 00:32:56 A. The written incident report, yes. 00:32:58 Q. Okay. I think they call it, I don't 00:33:00 know why, but they call it arrest report in this 00:33:04 situation. 00:33:07 A. Okay. 00:33:07 Q. And it has a series of timelines 00:33:08
13 14 15 16 17 18	credit to the neck brace principle for the LVNR 00:30:06 safety record. We believe that's one of the 00:30:09 things that makes it a very safe, teachable 00:30:11 technique and usable on the street. 00:30:14 Q. Now, without this neck brace principle, 00:30:18 you believe there's a danger that a rear naked 00:30:29 choke could deteriorate into a what? 00:30:37	13 14 15 16 17 18	Q. The incident report. 00:32:56 A. The written incident report, yes. 00:32:58 Q. Okay. I think they call it, I don't 00:33:00 know why, but they call it arrest report in this 00:33:04 situation. 00:33:07 A. Okay. 00:33:07 Q. And it has a series of timelines 00:33:08 beginning from the time that the neck restraint 00:33:12
13 14 15 16 17 18 19 20 21	credit to the neck brace principle for the LVNR 00:30:06 safety record. We believe that's one of the 00:30:09 things that makes it a very safe, teachable 00:30:11 technique and usable on the street. 00:30:14 Q. Now, without this neck brace principle, 00:30:18 you believe there's a danger that a rear naked 00:30:29 choke could deteriorate into a what? 00:30:32 A. We believe that it could deteriorate 00:30:37 into a bar arm choke. A bar arm choke is 00:30:41	13 14 15 16 17 18 19	Q. The incident report. 00:32:56 A. The written incident report, yes. 00:32:58 Q. Okay. I think they call it, I don't 00:33:00 know why, but they call it arrest report in this 00:33:04 situation. 00:33:07 A. Okay. 00:33:07 Q. And it has a series of timelines 00:33:08 beginning from the time that the neck restraint 00:33:12 was applied until it was released. Do you know 00:33:16
13 14 15 16 17 18 19 20 21 22	credit to the neck brace principle for the LVNR 00:30:06 safety record. We believe that's one of the 00:30:09 things that makes it a very safe, teachable 00:30:11 technique and usable on the street. 00:30:14 Q. Now, without this neck brace principle, 00:30:18 you believe there's a danger that a rear naked 00:30:29 choke could deteriorate into a what? 00:30:32 A. We believe that it could deteriorate into a bar arm choke. A bar arm choke is Q. What do you mean by that? 00:30:44	13 14 15 16 17 18 19 20 21 22	Q. The incident report. A. The written incident report, yes. Q. Okay. I think they call it, I don't 00:32:58 Robert Ro
13 14 15 16 17 18 19 20 21 22 23	credit to the neck brace principle for the LVNR 00:30:06 safety record. We believe that's one of the 00:30:09 things that makes it a very safe, teachable 00:30:11 technique and usable on the street. 00:30:14 Q. Now, without this neck brace principle, 00:30:18 you believe there's a danger that a rear naked choke could deteriorate into a what? 00:30:32 A. We believe that it could deteriorate 00:30:37 into a bar arm choke. A bar arm choke is 00:30:41 Q. What do you mean by that? 00:30:44 A. A bar arm choke is when the subject's 00:30:45	13 14 15 16 17 18 19 20 21 22 23	Q. The incident report. A. The written incident report, yes. Q. Okay. I think they call it, I don't 00:33:00 know why, but they call it arrest report in this 00:33:04 situation. Okay. Okay. Oi:33:07 A. Okay. Oi:33:07 Q. And it has a series of timelines 00:33:08 beginning from the time that the neck restraint 00:33:12 was applied until it was released. Do you know 00:33:16 what I'm referring to? Oi:33:20 A. Yes. Oi:33:21
13 14 15 16 17 18 19 20 21 22 23 24	credit to the neck brace principle for the LVNR 00:30:06 safety record. We believe that's one of the 00:30:09 things that makes it a very safe, teachable 00:30:11 technique and usable on the street. 00:30:14 Q. Now, without this neck brace principle, 00:30:18 you believe there's a danger that a rear naked 00:30:29 choke could deteriorate into a what? 00:30:32 A. We believe that it could deteriorate into a bar arm choke. A bar arm choke is Q. What do you mean by that? 00:30:44 A. A bar arm choke is when the subject's 00:30:45 the front structures of the throat are in line 00:30:48	13 14 15 16 17 18 19 20 21 22 23 24	Q. The incident report. A. The written incident report, yes. Q. Okay. I think they call it, I don't 00:33:00 know why, but they call it arrest report in this 00:33:04 situation. Okay. Q. And it has a series of timelines 00:33:08 beginning from the time that the neck restraint was applied until it was released. Do you know 00:33:12 what I'm referring to? A. Yes. Ourside 10:32:56 00:33:20 Ourside 11:30:30:30:30:30:30:30:30:30:30:30:30:30:
13 14 15 16 17 18 19 20 21 22 23	credit to the neck brace principle for the LVNR 00:30:06 safety record. We believe that's one of the 00:30:09 things that makes it a very safe, teachable 00:30:11 technique and usable on the street. 00:30:14 Q. Now, without this neck brace principle, 00:30:18 you believe there's a danger that a rear naked choke could deteriorate into a what? 00:30:32 A. We believe that it could deteriorate 00:30:37 into a bar arm choke. A bar arm choke is 00:30:41 Q. What do you mean by that? 00:30:44 A. A bar arm choke is when the subject's 00:30:45	13 14 15 16 17 18 19 20 21 22 23 24	Q. The incident report. A. The written incident report, yes. Q. Okay. I think they call it, I don't 00:33:00 know why, but they call it arrest report in this 00:33:04 situation. Okay. Okay. Oi:33:07 A. Okay. Oi:33:07 Q. And it has a series of timelines 00:33:08 beginning from the time that the neck restraint 00:33:12 was applied until it was released. Do you know 00:33:16 what I'm referring to? Oi:33:20 A. Yes. Oi:33:21

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1	he's describing what he did in terms of what 00:33:32		has encircled Mr. Farmer's neck with his left 00:36:23
2	type, apparently what type of a hold he applied. 00:33:36	2	arm, and the hand placement of his right hand is 00:36:27
3	Do you know what I'm referring to? 00:33:39	3	behind Mr. Farmer's head. That that is clear 00:36:34
4	A. Yes. 00:33:41	4	to me because of the placement of his forearm and 00:36:38
5	Q. Okay. Have you reviewed any 00:33:41	5	elbow. Officer Lopera's forearm and elbow are in 00:36:40
6	depositions? 00:33:46	6	front of his face. 00:36:44
7	A. Yes. I reviewed depositions. 00:33:47	7	It's physically impossible to do a 00:36:47
8	Q. What depositions? 00:33:49	8	lateral vascular neck restraint and have your 00:36:48
9	A. I reviewed I don't have a whole list 00:33:52	9	arm, your forearm and elbow be in front of your 00:36:51
10	of them that I've read. I've got I've gotten 00:33:58	10	face. However, if you're doing a rear naked 00:36:54
11	several of them, and I've reviewed Bland, 00:34:01	11	choke, that's exactly where they're going to be. 00:36:57
12	Sergeant Bland, and I don't have a list of names 00:34:08	12	So that's what I saw in the video. 00:37:00
13	here with me. I'm sorry. 00:34:14	13	Q. Okay. Let me stop you there for a 00:37:02
14	Q. It's all right. Do you have a list or 00:34:15	14	second because I'm not sure I understand. 00:37:04
15	no 00:34:20	15	A. Uh-huh. 00:37:06
16	A. I do not. 00:34:20	16	Q. All right. You saw the one arm encircle 00:37:07
17	Q you don't remember? 00:34:21	17	the neck. True? 00:37:11
18	A. I don't. I reviewed Mr. Lopera's expert 00:34:22	18	A. Yes, the left arm. 00:37:12
19	witness's I can't recall his name, but he 00:34:26	19	Q. Right. And was the elbow placed in 00:37:14
20	worked in in Nevada. He was a police officer 00:34:31	20	front of the trachea so there's no pressure on 00:37:19
21	in Nevada, reviewed his. 00:34:34	21	the trachea? 00:37:21
22	Q. Okay. Did you review Frank Mir? He's a 00:34:38	22	A. I couldn't tell that. I don't know 00:37:23
23	martial arts guy. 00:34:43	23	where the placement was. The video was not up 00:37:25
24	A. Yes. 00:34:44	24	close and the quality of it didn't allow for that 00:37:28
25		525	type of an examination. I can only tell you the 00:37:30
L	Page 30		Page 32
1	that he didn't think that the hold that was 00:34:53	1	P
2	applied by Officer Lopera was either a lateral 00:34:56	2	Q. I'm sorry. How far away was the how 00:37:34
3	vascular neck restraint or a rear naked choke? 00:35:00	3	far away was the video? 00:37:39
4	A. Yes. 00:35:04	4	A. I don't know. I mean, it didn't look 00:37:40
5	Q. Okay. Do you agree or disagree with 00:35:04	5	
6	that? 00:35:09	6	
7	A. You know, I can only tell you that I 00:35:09	7	
8	know what it is. I feel like I can. I disagree. 00:35:14	8	Q. That's right. 00:37:50
9	I disagree with, you know, if he says that it's 00:35:17	9	A. Yeah, I don't know. 00:37:51
10	an LVNR, I disagree with that, absolutely. 00:35:22	10	Q. Can you estimate? 00:37:52
11	Q. Right. Tell me, please, what you saw in 00:35:24	11	A. If I was standing there on the ground 00:37:55
12	the videos that caused you to believe that 00:35:34	12	, , , , , , , , , , , , , , , , , , , ,
13	Officer Lopera was applying a rear naked choke. 00:35:38	13	, ,
14	A. Well, the thing that caused me to 00:35:41	14	Q. Okay. Was this a body camera, if you 00:38:06
15	believe that he was applying a rear naked choke 00:35:46	15	•
16	was the video that was taken. The view of the 00:35:48	16	A. I don't know. 00:38:12
17	camera is from the top of the head down, from 00:35:51	17	Q. Okay. All right. Did you ever were 00:38:13
18	Mr. Lopera or Officer Lopera and Mr. Farmer. 00:35:57	18	· · · · · · · · · · · · · · · · · · ·
19	So that's that's the view of the camera. In 00:36:00	19	A. I do. 00:38:18
	- in that, it's clear to me that a rear naked 00:36:03	20	Q. All right. 00:38:19
20		21	MR. SAYRE: Craig, I'd like to mark 00:38:24
21	choke is being applied. 00:36:06	i	-
21 22	The reason that it's clear to me is 00:36:07	22	that video for identification, if you know which 00:38:25
21 22 23	The reason that it's clear to me is 00:36:07 because the hallmarks of an LVNR, the neck brace 00:36:10	22 23	that video for identification, if you know which 00:38:25 videos he's referring to. 00:38:29
21 22 23 24	The reason that it's clear to me is 00:36:07 because the hallmarks of an LVNR, the neck brace 00:36:10 principle, doesn't exist in that video. It's 00:36:14	22 23 24	that video for identification, if you know which 00:38:25 videos he's referring to. 00:38:29 MR. ANDERSON: I assume he's 00:38:31
21 22 23	The reason that it's clear to me is 00:36:07 because the hallmarks of an LVNR, the neck brace 00:36:10	22 23	that video for identification, if you know which 00:38:25 videos he's referring to. 00:38:29 MR. ANDERSON: I assume he's 00:38:31

	- Application of the Control of the		
1	not sure. 00:38:39	1	know, run under the parking area there, and then 00:41:07
2	THE WITNESS: It is. 00:38:40	2	Officer Lopera's in pursuit of him. And those 00:41:10
3	MR. ANDERSON: Okay. 00:38:41	3	are the three that I've seen. 00:41:14
4	THE WITNESS: I guess that was from 00:38:43	4	MR. MCNUTT: What I'd like to, do, 00:41:17
5	a hotel camera. Correct? 00:38:44	5	Craig, is with your permission and with Captain 00:41:19
6	MR. ANDERSON: Yeah, the hotel 00:38:47	6	Lynch's permission, is I'd like to have him 00:41:22
7	camera. 00:38:48	7	identify I know he doesn't have it with him 00:41:24
8	THE WITNESS: Okay. 00:38:48	8	today, but identify for the court reporter the 00:41:26
9	MR. SAYRE: All right. Is there a 00:38:51	9	video that he's relying upon and provide it to 00:41:30
10	way to for us to mark that for identification? 00:38:53	10	the court reporter so it can be marked for 00:41:33
11	MR. ANDERSON: Did you have it with 00:38:57	11	identification as Plaintiffs' 1 to this 00:41:36
12	you, Captain? 00:39:01	12	deposition. Is that all right? 00:41:39
13	THE WITNESS: Do I have the video? 00:39:02	13	MR. ANDERSON: That's all right. 00:41:42
14	Yeah, I have it back at my office. I do. I 00:39:04	14	It will have to be copies. I think that's the 00:41:43
15	don't have it here with me. I'm sorry. 00:39:08	15	only copy he has. 00:41:45
16	·	16	MR. SAYRE: That's fine. 00:41:47
	• •	17	
17	the Venetian video and the body cam. He's 00:39:13		MR. ANDERSON: Okay. We can figure 00:41:48
18	talking about the Venetian video that we've used 00:39:19		it out. 00:41:49
19	throughout the litigation, if you want another 00:39:19	19	Q. (By Mr. Sayre) Do you understand, 00:41:50
20	сору. 00:39:21	20	Captain? 00:41:51
21	MR. SAYRE: Well, I just want to 00:39:23	21	A. Yeah. 00:41:52
22	mark it for identification, because he's relying 00:39:24	22	Q. I'd like to be able to take have you 00:41:52
23	upon that view, and I think it's important to 00:39:27	23	make a copy of that video, the one that you're 00:41:54
24	mark what he's relying upon. 00:39:29	24	relying upon, provide it to the court reporter, 00:41:58
25	MR. ANDERSON: Fred? 00:39:31	25	who will attach it as an exhibit to the 00:42:00
	Page 34		Page 36
1	MR. SAYRE: Yeah. 00:39:37	1	•
2	MR. MCNUTT: If he says this, I 00:39:37	2	A. Okay. 00:42:03
3	missed it, but if you wouldn't mind, I'd ask 00:39:38	3	Q. Okay. Thank you. 00:42:03
4	Captain Lynch, in the video that you watched was 00:39:41	4	(Lynch Exhibit 1 was marked for 00:42:03
5	it one view of the action on the ground or were 00:39:44	5	identification by the reporter.) 00:42:06
6	there side by side views of different cameras? 00:39:50	6	Q. (By Mr. Sayre) So let's go back to what 00:42:06
7	For example, there's one video that has been 00:39:53	7	you recall seeing. The neck was encircled with 00:42:1
8	produced where it shows the static view that I 00:39:56	8	one arm, and that would be true of either a 00:42:17
9	think you're talking about from the Venetian, and 00:40:00	9	lateral vascular neck restraint or a rear naked 00:42:19
10	then simultaneously on the screen it shows a body 00:40:02	10	choke. Correct? 00:42:22
11	cam, a body worn cam angle as well. Can you 00:40:06	11	A. Yes. 00:42:23
12	describe the video that you saw? 00:40:10	12	Q. And the elbow was placed, aligned in 00:42:23
13	THE WITNESS: You know, I've seen 00:40:13	13	front of the trachea so there's no pressure on 00:42:31
14		14	the trachea, and that would be the same whether 00:42:3
15	a a you know, posted on a law enforcement 00:40:19	15	it's a lateral vascular neck restraint or rear 00:42:37
16	site. I believe the one that that I 00:40:22	16	naked choke. True? 00:42:40
17	was sent is just the just the camera angle. 00:40:30	17	A. Ideally it would be the same. I don't 00:42:41
18	MR. MCNUTT: The static, on the 00:40:37	18	know if I don't know where it was aligned, you 00:42:4
19	THE WITNESS: The static overhead, 00:40:40	19	know, in the case of 00:42:46
20	yeah, right. There's been three videos. There's 00:40:41	20	Q. That's right. You told me you couldn't 00:42:48
l	the static from the overhead, and then there's 00:40:46	21	see if it was aligned or not. 00:42:49
		22	A. No. 00:42:50
21	the hady can and then there's a pretty arciny 00.40.40	44	13. 17U. UU.42.JU
22	the body cam and then there's a pretty grainy 00:40:48	22	O Okay Then what was important to von 00.40.5
22 23	shot that's high up on the hotel, it looks like, 00:40:53	23	Q. Okay. Then what was important to you 00:42:5
22 23 24	shot that's high up on the hotel, it looks like, 00:40:53 or high up on a structure that's shooting down 00:40:57	24	that told you was the hallmarks, if you will, of 00:42:54
22 23 24	shot that's high up on the hotel, it looks like, 00:40:53		•

		1	
1	behind his head? 00:43:02	1	A. Yes, I saw that I saw that the hand 00:45:55
2	A. Right hand was in front of his head, in 00:43:06	2	was in front of Officer Lopera's face. The 00:46:00
3	front of Officer Lopera's head. 00:43:09	3	video's rather dark, but it appears to be up 00:46:04
4	Q. Right hand in front of him? 00:43:11	4	against the back of the head of the person there. 00:46:06
5	A. Uh-huh. Yes. 00:43:14	5	Q. Okay. As the neck is encircled, the 00:46:11
6	Q. Okay. And why is that indicative of a 00:43:15	6	hand of the encircling arm is usually passed 00:46:14
7	rear naked choke? 00:43:21	7	underneath the forearm of the non-encircling arm 00:46:17
8	A. The hand would be in front of your face 00:43:22	8	in an attempt to grab the biceps of the 00:46:21
9	if you were applying pressure to the back of the 00:43:27	9	non-encircling arm. Is that correct? 00:46:24
10	head with your hand. 00:43:29	10	A. Yes. If that can be accomplished, 00:46:25
11	Q. Okay. And the back applying pressure 00:43:32	11	you've got, you know, a superior lock there. It 00:46:28
12	to the back of the head with your hand is what 00:43:37	12	can't always be done because of body mechanics, 00:46:31
13	you would do with a lateral vascular neck 00:43:39	13	and you know, people are different sizes and 00:46:34
14	restraint? 00:43:41	14	shapes, but ideally, that's what you're looking 00:46:36
15	A. Nope. With a lateral vascular neck 00:43:42	15	for. 00:46:39
16	restraint you're going to use the neck brace 00:43:45	16	Q. Did you see that in the video? 00:46:39
17	principle, so the side of your head is going to 00:43:47	17	A. No. I couldn't tell if he had grabbed 00:46:42
18	be against the subject's head. Your hands are 00:43:49	18	his own biceps or not. 00:46:46
19	going to be collapsed out to the side and to the 00:43:51	19	Q. By pulling both elbows tightly into the 00:46:47
20	rear of the subject's head. 00:43:55	20	chest and pushing against the back of the head 00:46:55
21	Q. So here there was no head to head 00:43:58	21	with the back of the hand, pressure is then 00:46:58
22	contact? 00:44:03	22	applied to the back of the subject's head forcing 00:47:00
23	A. I didn't see any head to head contact. 00:44:04	23	it forward while bilateral pressure is applied to 00:47:04
24	I just saw that the hand was in front of Officer 00:44:06	24	the side of the subject's neck. Did you see 00:47:09
25	Lopera's face. You can tell that, also, by his 00:44:10 Page 38	25	that? 00:47:13 Page 40
	rage 36		
1	forearm. His his right forearm is almost 00:44:13	1	A. Which part? 00:47:13
2	vertical in the video. With a with a lateral 00:44:18	2	Q. Well, any part of it. 00:47:19
3	vascular neck restraint it would have been 00:44:24	3	
	and the contract of the contra		A. I could tell that there was a hand 00:47:20
4	horizontal in that side mount position that he 00:44:26	4	applied to the back of the head and that the left 00:47:22
5	was in. 00:44:29	4 5	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24
5	was in. 00:44:29 Q. All right. Anything else that 00:44:30	4 5 6	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26
5 6 7	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40	4 5 6 7	applied to the back of the head and that the left of 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera 00:47:33
5 6 7 8	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43	4 5 6 7 8	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera 00:47:33 was doing was a rear naked choke? 00:47:37
5 6 7 8 9	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46	4 5 6 7 8 9	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera 00:47:33 was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39
5 6 7 8 9 10	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46	4 5 6 7 8 9	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera 00:47:33 was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40
5 6 7 8 9 10 11	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49	4 5 6 7 8 9 10	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera 00:47:33 was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45
5 6 7 8 9 10 11 12	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:49	4 5 6 7 8 9 10 11 12	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera 00:47:33 was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45 restraint? 00:47:48
5 6 7 8 9 10 11 12 13	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:49 Lopera that he used a rear naked choke. 00:44:55	4 5 6 7 8 9 10 11 12 13	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera 00:47:33 was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45 restraint? 00:47:48 A. No, it did not. 00:47:49
5 6 7 8 9 10 11 12 13 14	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:49 Lopera that he used a rear naked choke. 00:44:55 Q. Okay. We'll come to that in a second, 00:44:57	4 5 6 7 8 9 10 11 12 13 14	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera 00:47:33 was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck restraint? 00:47:48 A. No, it did not. 00:47:49 Q. All right. Would you agree that the 00:47:50
5 6 7 8 9 10 11 12 13 14 15	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:49 Lopera that he used a rear naked choke. 00:44:57 but in terms of your observations, the neck brace 00:45:00	4 5 6 7 8 9 10 11 12 13 14 15	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera 00:47:33 was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45 restraint? 00:47:48 A. No, it did not. 00:47:49 Q. All right. Would you agree that the 00:47:50 application of a rear naked choke in this 00:47:55
5 6 7 8 9 10 11 12 13 14 15 16	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:49 Lopera that he used a rear naked choke. 00:44:55 Q. Okay. We'll come to that in a second, 00:45:00 principle was not there, and that's a key thing 00:45:08	4 5 6 7 8 9 10 11 12 13 14 15 16	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45 restraint? 00:47:48 A. No, it did not. 00:47:49 Q. All right. Would you agree that the 00:47:50 application of a rear naked choke in this situation would constitute excessive force? 00:47:59
5 6 7 8 9 10 11 12 13 14 15 16 17	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:49 Lopera that he used a rear naked choke. 00:44:55 Q. Okay. We'll come to that in a second, 00:44:57 but in terms of your observations, the neck brace 00:45:00 principle was not there, and that's a key thing 00:45:08 to you. Correct? 00:45:12	4 5 6 7 8 9 10 11 12 13 14 15 16 17	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45 restraint? 00:47:48 A. No, it did not. 00:47:49 Q. All right. Would you agree that the 00:47:50 application of a rear naked choke in this situation would constitute excessive force? 00:47:59 A. I don't you know, I don't know. I 00:48:02
5 6 7 8 9 10 11 12 13 14 15 16 17 18	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:49 Lopera that he used a rear naked choke. 00:44:55 Q. Okay. We'll come to that in a second, 00:44:57 but in terms of your observations, the neck brace 00:45:00 principle was not there, and that's a key thing 00:45:08 to you. Correct? 00:45:12 A. Yes. 00:45:13	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45 restraint? 00:47:48 A. No, it did not. 00:47:49 Q. All right. Would you agree that the application of a rear naked choke in this situation would constitute excessive force? 00:47:59 A. I don't you know, I don't know. I 00:48:02 didn't look into that's not into that 00:48:05
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:49 Lopera that he used a rear naked choke. 00:44:55 Q. Okay. We'll come to that in a second, 00:44:57 but in terms of your observations, the neck brace 00:45:00 principle was not there, and that's a key thing 00:45:08 to you. Correct? 00:45:12 A. Yes. 00:45:13 Q. It says in your opinion, the back of the 00:45:13	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera 00:47:33 was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45 restraint? 00:47:48 A. No, it did not. 00:47:49 Q. All right. Would you agree that the application of a rear naked choke in this situation would constitute excessive force? 00:47:59 A. I don't you know, I don't know. I 00:48:05 particular area. It's not something I examined 00:48:06
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:55 Q. Okay. We'll come to that in a second, 00:44:57 but in terms of your observations, the neck brace 00:45:00 principle was not there, and that's a key thing 00:45:08 to you. Correct? 00:45:13 A. Yes. 00:45:13 Q. It says in your opinion, the back of the 00:45:41 hand of the non-encircling arm is usually placed 00:45:41	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45 restraint? 00:47:48 A. No, it did not. 00:47:49 Q. All right. Would you agree that the 00:47:50 application of a rear naked choke in this 00:47:55 situation would constitute excessive force? 00:47:59 A. I don't you know, I don't know. I 00:48:02 didn't look into that's not into that 00:48:05 particular area. It's not something I examined 00:48:06 or rendered an opinion on. 00:48:08
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:49 Lopera that he used a rear naked choke. 00:44:55 Q. Okay. We'll come to that in a second, 00:44:57 but in terms of your observations, the neck brace 00:45:00 principle was not there, and that's a key thing 00:45:08 to you. Correct? 00:45:12 A. Yes. 00:45:13 Q. It says in your opinion, the back of the 00:45:41 against the back of the subject's head as the 00:45:46	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45 restraint? 00:47:48 A. No, it did not. 00:47:49 Q. All right. Would you agree that the 00:47:50 application of a rear naked choke in this 00:47:55 situation would constitute excessive force? 00:47:59 A. I don't you know, I don't know. I 00:48:02 didn't look into that's not into that 00:48:05 particular area. It's not something I examined 00:48:06 or rendered an opinion on. 00:48:08 Q. Why is the my understanding of the 00:48:09
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:49 Lopera that he used a rear naked choke. 00:44:55 Q. Okay. We'll come to that in a second, 00:44:57 but in terms of your observations, the neck brace 00:45:00 principle was not there, and that's a key thing 00:45:08 to you. Correct? 00:45:12 A. Yes. 00:45:13 Q. It says in your opinion, the back of the 00:45:41 against the back of the subject's head as the 00:45:46 encircling arm encircles the neck. Is that 00:45:48	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45 restraint? 00:47:48 A. No, it did not. 00:47:49 Q. All right. Would you agree that the 00:47:50 application of a rear naked choke in this 00:47:55 situation would constitute excessive force? 00:47:59 A. I don't you know, I don't know. I 00:48:02 didn't look into that's not into that 00:48:05 particular area. It's not something I examined 00:48:06 or rendered an opinion on. 00:48:08 Q. Why is the my understanding of the 00:48:09 reason why why not a rear naked choke is that 00:48:16
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:49 Lopera that he used a rear naked choke. 00:44:55 Q. Okay. We'll come to that in a second, 00:44:57 but in terms of your observations, the neck brace 00:45:00 principle was not there, and that's a key thing 00:45:08 to you. Correct? 00:45:12 A. Yes. 00:45:13 Q. It says in your opinion, the back of the 00:45:41 against the back of the subject's head as the 00:45:46 encircling arm encircles the neck. Is that 00:45:48 correct? 00:45:52	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera 00:47:33 was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45 restraint? 00:47:48 A. No, it did not. 00:47:49 Q. All right. Would you agree that the 00:47:50 application of a rear naked choke in this 00:47:55 situation would constitute excessive force? 00:47:59 A. I don't you know, I don't know. I 00:48:02 didn't look into that's not into that 00:48:05 particular area. It's not something I examined 00:48:06 or rendered an opinion on. 00:48:09 reason why why not a rear naked choke is that 00:48:16 it basically just has one speed, if you will. 00:48:22
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	was in. 00:44:29 Q. All right. Anything else that 00:44:30 distinguished this as being a rear naked choke as 00:44:40 opposed to a lateral vascular neck restraint, in 00:44:43 your view? 00:44:46 A. In the video? 00:44:46 Q. Yes. 00:44:49 A. The admission from from Officer 00:44:49 Lopera that he used a rear naked choke. 00:44:55 Q. Okay. We'll come to that in a second, 00:44:57 but in terms of your observations, the neck brace 00:45:00 principle was not there, and that's a key thing 00:45:08 to you. Correct? 00:45:12 A. Yes. 00:45:13 Q. It says in your opinion, the back of the 00:45:41 against the back of the subject's head as the 00:45:46 encircling arm encircles the neck. Is that 00:45:48 correct? 00:45:52	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	applied to the back of the head and that the left 00:47:22 arm had encircled the subject's neck. 00:47:24 Q. Okay. So it looked to you like what, as 00:47:26 far as you could see, that what Officer Lopera 00:47:33 was doing was a rear naked choke? 00:47:37 A. Yes. 00:47:39 Q. Okay. It definitely did not look to you 00:47:40 like he was using a lateral vascular neck 00:47:45 restraint? 00:47:48 A. No, it did not. 00:47:49 Q. All right. Would you agree that the 00:47:50 application of a rear naked choke in this 00:47:55 situation would constitute excessive force? 00:47:59 A. I don't you know, I don't know. I 00:48:02 didn't look into that's not into that 00:48:05 particular area. It's not something I examined 00:48:06 or rendered an opinion on. 00:48:09 reason why why not a rear naked choke is that 00:48:16 it basically just has one speed, if you will. 00:48:22

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l	whatever somebody's policy was to that. I mean, 00:48:30	1	
2	you can regulate pressure with a rear naked 00:48:34	2	A. Yes. 00:51:15
3	choke. However, in you know, most 00:48:36	3	Q. Okay. Do you have any opinions 00:51:16
4	practitioners who use it in competition settings, 00:48:38	4	regarding the behavior of Sergeant Crumrine? 00:51:24
5	they do not do that. They apply it, and it's an 00:48:41	5	A. No. You know was it Sergeant 00:51:28
6	all or nothing proposition. 00:48:44	6	Crumrine who said let him go, Ken? Is that 00:51:33
7	Q. And that's what you say in your opinion. 00:48:45	7	
8	Correct? 00:48:49	8	Q. Yes. 00:51:37
9	A. Yes. 00:48:50	9	A. Okay. You know, I thought it was 00:51:38
10	Q. All right. And in this situation, a 00:48:50	10	appropriate. I didn't see anything wrong with 00:51:40
11	rear naked choke could be potentially fatal. 00:48:58	11	telling him let him go. In fact, I, you know, 00:51:43
12	Correct? 00:49:00	12	could kind of consider that an intervention at 00:51:47
13	A. If it deteriorates into a bar arm choke, 00:49:01	13	that point, in him directing to let the person 00:51:50
14	you know, any any neck restraint could be 00:49:06	14	go. The officer asked is he out, and you know, 00:51:52
15	potentially fatal, but yes. 00:49:07	15	they said yes, let him go, which is when they 00:51:56
16	Q. Can you tell whether it's deteriorated 00:49:09	16	ended up unwrapping him, you know, from the neck 00:52:00
17	into a bar arm choke in this situation? 00:49:15	17	restraint and putting him in some handcuffs. 00:52:03
18	A. I could not. 00:49:17	18	Q. Well, actually, was he maintained in the 00:52:05
19	Q. All right. Is the fact that first of 00:49:18	19	neck restraint for another 46 seconds? 00:52:10
20	all, using the Graham the Graham factors, did 00:49:24	20	A. Was it 46 seconds? 00:52:12
21	you determine whether it was appropriate or not 00:49:33	21	MR. MCNUTT: Object to form. 00:52:14
22	to use a rear naked choke? 00:49:36	22	A. Was that the time they were handcuffing 00:52:16
23	A. No. You know, I didn't look into the 00:49:37	23	him? 00:52:17
24	the case on that level or render any opinion 00:49:41	24	Q. (By Mr. Sayre) Well, from the time they 00:52:19
25	about, you know, whether his force was excessive. $00:49:44$ Page 42	25	said let him go, it says in the timeline that he 00:52:21 Page 44
1	Q. If Officer Lopera was using a rear naked 00:49:48	1	wasn't released until 46 seconds later. 00:52:26
2	choke, would the three officers who were standing 00:49:54	2	MR. MCNUTT: Objection, form. 00:52:29
3	within three feet of him, Sergeant Crumrine, 00:49:57	3	MR. ANDERSON: Objection, form. 00:52:30
4	Officer Flores and Officer Winn, have a duty to 00:50:03	4	Q. (By Mr. Sayre) Did you read that? 00:52:31
5	stop him from using a rear naked choke? 00:50:11	5	A. Yeah, but I have no idea what type of 00:52:32
6	A. You know, I don't know. I don't know 00:50:13	6	compression was being applied to anybody during 00:52:34
7	what the policy you know, what their policy 00:50:17	7	that time. It would be impossible to tell from 00:52:36
8	says about that. I don't I didn't look into 00:50:20	8	looking at a videotape or even if you were 00:52:41
9	like an intervention policy or anything like that 00:50:25	9	standing there. 00:52:43
10	with the Las Vegas PD. 00:50:28	10	Q. If it was a rear naked choke, as you 00:52:44
11	Q. Well, would any officer have a duty to 00:50:30	11	said, it's either maximum pressure or nothing. 00:52:48
12	intervene if excessive force were using on 00:50:35	12	Right? 00:52:50
13	Mr. Farmer? 00:50:40	13	A. Well, it would be until someone either 00:52:50
14	A. Yes. 00:50:41	14	complied or passed out, but I don't know. I 00:52:54
15	MR. ANDERSON: Objection, form. 00:50:42	15	mean, you can stop pressure at anytime you wish, 00:52:57
16	Q. (By Mr. Sayre) And if the rear naked 00:50:44	16	so I don't know how much, at what time or for how 00:52:59
17	choke is considered excessive force, the officers 00:50:46	17	long. It's impossible for me to tell you 00:53:03
18	would have a duty to intervene to stop it. 00:50:50	18	anything like that. I don't know. 00:53:05
19	Correct? 00:50:53	19	Q. Did Sergeant Crumrine have a duty to 00:53:06
20	A. Yes. 00:50:54	20	make sure that Officer Lopera relieved the 00:53:12
21	MR. ANDERSON: Objection, form. 00:50:54	21	pressure on the neck restraint? 00:53:15
22	A. If it was considered to be excessive 00:50:55	22	A. I don't know how he would be able to 00:53:16
23	force, then they would have a duty to protect the 00:50:57	23	know that. It's very difficult. Unless you're 00:53:18
24	person that was being controlled. 00:50:59	24	applying the technique, you don't know how much 00:53:20
25	Q. (By Mr. Sayre) Did you read the FIT 00:51:03	25	
	Page 43		Page 45

l	Q. Well, if it's a rear naked choke you 00:53:25	1	Do you agree with that? 00:56:16
2	know how much pressure is being applied. Right? 00:53:30	2	A. Yes. 00:56:17
3	MR. MCNUTT: Objection, form. 00:53:32	3	Q. That would be true of the rear naked 00:56:17
4	A. No, I would not know how much is being 00:53:35	4	choke. Right? 00:56:22
5	applied. It would be up to the person applying 00:53:37	5	A. It can or it cannot be. You can still 00:56:22
6	the technique. 00:53:39	6	regulate pressure. My statement doesn't imply 00:56:26
7	Q. (By Mr. Sayre) Well, I thought you said 00:53:39	7	that you can't regulate pressure that's applied 00:56:29
8	a rear naked choke you provide maximum pressure 00:53:41	8	to the sides of the somebody's neck. It just 00:56:31
9	or you don't provide or is there no hold? 00:53:44	9	implies that in the mixed martial arts community 00:56:3
10	MR. MCNUTT: Objection, form. 00:53:46	10	many times that's that's how they are taught 00:56:38
11	A. No, that's not what I meant by that at 00:53:49	11	and that's how they're applied, especially in 00:56:40
	all. 00:53:51	12	competition settings. 00:56:43
13	Q. (By Mr. Sayre) Okay. Tell me what you 00:53:51	13	Q. But you would agree with me that the 00:56:44
	meant. 00:53:53	14	Metropolitan Police Department does not teach 00:56:4
15		15	people how to regulate the pressure of a rear 00:56:50
	11.		1
	the technique, you apply it with maximum 00:53:55	16	
17	pressure. That's usually how it's applied, but 00:53:59	17	· · · · · · · · · · · · · · · · · · ·
18	you can still regulate. That doesn't preclude 00:54:02	18	naked choke at all, to my knowledge. 00:56:57
19	you from regulating pressure. You can still do 00:54:05	19	Q. So Officer Lopera would have no 00:56:59
20	that. That's another difference with the lateral 00:54:08	20	knowledge about how to, as instructed by the 00:57:02
21	vascular neck restraint. We teach three levels 00:54:12	21	lateral by the Metropolitan Police Department, 00:57:0
22	of control and to match the subject's 00:54:15	22	about how to regulate the pressure on the neck of 00:57:0
23	resistance. With a rear naked choke there aren't 00:54:18	23	Mr. Farmer if he was using a rear naked choke? 00:57:
24	three levels of control usually that are 00:54:23	24	A. I guess not. 00:57:15
25	instructed to people. 00:54:25	25	MR. MCNUTT: Objection. 00:57:18
	Page 46		Page 48
l	Q. Right. So there's no way to control the 00:54:26	1	A. He's not taught a rear naked choke by 00:57:19
2	pressure other than you either have the maximum 00:54:30	2	the police department, so I guess that's not 00:57:22
3	pressure applied or you release it. Correct? 00:54:34	3	what what he'd know. 00:57:24
4	A. Well, you can still regulate pressure. 00:54:37	4	Q. (By Mr. Sayre) All right. Did you read 00:57:26
5	Q. Well, but the police department doesn't 00:54:39	5	the deposition of Officer Winn? 00:57:29
6	teach people how to regulate pressure when they 00:54:43	6	MR. MCNUTT: You mean Tran? 00:57:34
7	use the rear naked choke. Correct? 00:54:46	7	MR. ANDERSON: You mean Tran? 00:57:36
8	A. Police department doesn't teach a rear 00:54:48	8	Q. (By Mr. Sayre) Tran, sorry. 00:57:37
9	naked choke. 00:54:50	9	A. Yes, I did. 00:57:38
10	Q. Well, therefore, the police department 00:54:51	10	Q. Okay. Do you recall Officer Tran saying 00:57:40
11	doesn't teach people how to regulate the pressure 00:54:54	11	that from the time that he got there Mr. Farmer 00:57:44
12		12	was providing no resistance? 00:57:47
13	A. No, I don't guess they would if they 00:54:58	13	A. Yes. 00:57:51
14		14	Q. Okay. Take a look at your Page 10. It 00:57:53
15	Q. I guess so. Take a look at your 00:55:02	15	would be the basis for opinion 6. Okay. 00:58:00
16		16	A. Okay. 00:58:11
17		17	Q. In the middle of the last paragraph it 00:58:12
	•		says when it's talking about the guidelines of 00:58:18
18	A. Okay. 00:55:47	18	
19	Q. Last paragraph on that page. "Many neck 00:55:49	19	using the lateral vascular neck restraint as set 00:58:20
20	•	20	forth by the Metropolitan Police Department. 00:58:24
21	martial arts community are an all or nothing 00:55:59	21	A. Okay. 00:58:29
22	proposition, in the sense that when they are 00:56:02	22	Q. It says, "This particular guideline 00:58:29
23	applied, maximum compression is immediately 00:56:04	23	requires an officer applying the LVNR to a 00:58:32
24	applied to the sides of the neck until the person 00:56:08	24	subject cease all compression on the sides of the 00:58:35
25		25	subject's neck once resistance has concluded." 00:58:40
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1	Do you agree with that? 00:58:43	I	Q. All right. So is it fair to say that 01:01:20
2	A. Yes. 00:58:44	2	your opinion that he used a rear naked choke on 01:01:26
3	Q. So if Officer Tran says that he was 00:58:44	3	Mr. Farmer is in part based upon your 01:01:31
4	applying no resistance, should Officer Lopera 00:58:51	4	observations of the video. Correct? 01:01:37
5	have ceased any kind of neck restraint at that 00:58:56	5	A. Yeah, it's a hundred percent based on my 01:01:39
6	point? 00:58:59	6	observations of the video. The fact that he 01:01:42
7	MR. MCNUTT: Objection, form. 00:59:01	7	verbalized it afterwards just, you know, adds 01:01:44
8	A. Well, that's that's not quite 00:59:01	8	another layer to it, I guess, of confirmation. 01:01:48
9	correct. We we train officers if they're 00:59:04	9	Q. So the other part of it is that you 01:01:52
10	applying the lateral vascular neck restraint that 00:59:07	10	perceived him as having made admissions that he 01:01:56
11	when somebody stops resisting that they should 00:59:10	11	used a rear naked choke by Mr. Lopera by the 01:01:59
12	reduce their level of control to what we call 00:59:13	12	things that he said to the other officer? 01:02:02
13	level one minus. A level one minus, the minus 00:59:15	13	A. Yes, that's what he said. 01:02:04
14	refers to minus compression. So it's a position 00:59:19	14	MR. MCNUTT: Objection, form. 01:02:06
15	of control, not a level of control, and you 00:59:25	15	Q. (By Mr. Sayre) I'm sorry, I couldn't 01:02:07
16	maintain your neck encirclement, you maintain 00:59:29	16	hear your answer. 01:02:09
17	your head to head contact, but you don't compress 00:59:33	17	A. Yes, that was that he said on the on 01:02:09
18	the sides of the neck. 00:59:36	18	the video. 01:02:12
19	Q. All right. Did you see Officer Lopera 00:59:37	19	Q. Okay. But if I understand correctly, 01:02:13
20	assume that position at anytime during the course 00:59:44	20	you didn't need those admissions for you to come 01:02:17
21	of the time that he had his arm encircling the 00:59:48	21	to the conclusion that he was using a rear naked 01:02:20
22	neck of Mr. Farmer? 00:59:52	22	choke. You did that all by itself with regard to 01:02:23
23	A. It would be impossible to I can't 00:59:53	23	your observations? 01:02:27
24	tell you what level of control he was at because 00:59:55	24	A. Correct. 01:02:27
25	he wasn't doing an LVNR. Whether or not he was 00:59:58	25	MR. SAYRE: All right. Thank you. 01:02:31
	Page 50		Page 52
1	still compressing the sides of the neck, there's 01:00:01	1	1 have nothing further. 01:02:32
2	no way to know that, either. 01:00:03	2	MR. MCNUTT: Want to take a five- 01:02:33
3	Q. Okay. Now, you also heard or you read 01:00:04	3	minute break? 01:02:36
4	in the arrest report a number of statements that 01:00:15	4	MR. SAYRE: Sure. 01:02:38
5	were attributed to Officer Lopera concerning what 01:00:19	5	THE VIDEOGRAPHER: All right. It 01:02:39
6	type of a neck restraint he was employing? 01:00:24	6	is 3:16. We're off the record at the end of our 01:02:41
7	A. Yes. 01:00:27	7	first media. 01:02:43
8	Q. Okay. Now, did you actually listen to 01:00:28	8	(Recess.) 01:08:03
9	the tapes and hear those or did you just read 01:00:32	9	THE VIDEOGRAPHER: It is 3:21. 01:08:03
10	them in the arrest report? 01:00:35	10	We're back on the record at the beginning of our 01:08:16
11	A. Both. 01:00:36	11	
12	Q. Okay. And what was it about those 01:00:36	12	EXAMINATION 01:08:18
13	statements that impressed you in terms of your 01:00:41	13	
14	opinion about whether he was using a lateral 01:00:46	14	
15	vascular neck restraint or a rear naked choke? 01:00:48	15	
16	A. You know, just him saying that I had to 01:00:52	16	· ·
17	•	17	, , , , , , , , , , , , , , , , , , , ,
18	,	18	
19	.	19	
20	done some training. I don't know if he's a 01:01:05	20	
21	Jujitsu guy or Judo guy or what he does, but I 01:01:09	21	•
22	• • •	22	· ·
23	vernacular when he's talking about a neck 01:01:14	23	•
24		24	
25	what that is. 01:01:20 Page 51	25	Q. As well as you reviewed my expert, Frank 01:08:48 Page 53
	rage 31		rage 33

1	Mir's deposition transcript. Is that correct? 01:08:54	1	Q. And isn't it true that the training 01:11:14
2	A. Yeah. Yes. 01:08:55	2	techniques and policies that the Las Vegas 01:11:21
3	Q. Yeah. Please audibalize your answers. 01:08:57	3	Metropolitan Police Department utilizes states 01:11:27
4	I can see you nod your head. 01:09:02	4	that the reason for the hands being clasped is so 01:11:33
5	A. Sure. 01:09:04	5	that you can obtain maximum pressure 01:11:36
6	Q. Do you know who Frank Mir is? 01:09:04	6	A. Yes. 01:11:38
7	A. No, I'm not familiar with him. 01:09:06	7	Q on the neck? And isn't it true that 01:11:38
8	Q. Okay. Are you aware of Mr Sergeant 01:09:07	8	those policies and procedures are largely, if not 01:11:42
9	Bland's background and training? 01:09:14	9	completely, adopted from the National Law 01:11:46
10	A. Only what I read in the deposition 01:09:16	10	Enforcement National Law Enforcement Training 01:11:50
11	•	11	Center? 01:11:54
12	Q. Okay. Would Sergeant Bland have more 01:09:20	12	A. Yes. 01:11:54
13	information or less information than you with 01:09:26	13	Q. And that's the organization that 01:11:54
14	respect to the differences between an LVNR and a 01:09:29	14	licenses or is responsible for the training of 01:12:00
15	rear naked choke? 01:09:33	15	the LVNR? 01:12:04
		16	A. Yes. 01:12:05
16		1	
17	MR. Sayre: Objection, calls for 01:09:38	17	Q. If you are laying on your right side, 01:12:05
18	speculation. 01:09:38	18	let's just assume that it's the same body angles 01:12:13
19	A. I don't know. 01:09:40	19	as in the incident we're talking about, and 01:12:16
20	Q. (By Mr. McNutt) Are you aware of the 01:09:40	20	Officer Lopera is got his left arm as the 01:12:20
21	fact that Sergeant Bland said that the neck 01:09:42	21	encircling arm 01:12:24
22	restraint utilized by Officer Lopera was, in his 01:09:45	22	A. Yes. 01:12:25
23	opinion, neither an LVNR nor was it a rear naked 01:09:50	23	Q and they're back to chest. If they 01:12:25
24	choke? 01:09:54	24	are if they are laying, both the subject and 01:12:27
25	A. Yes, I did read that. 01:09:54 Page 54	25	Officer Lopera are laying on the right side, is 01:12:30 Page 56
-	I ugv J+		Tugo 30
1	Q. And you differ with his opinion? 01:09:57	1	it possible for Officer Lopera to connect his 01:12:34
2	A. I do, yeah. 01:10:00	2	arms, or excuse me, connect his hands? 01:12:38
3	Q. And why do you differ with his opinion? 01:10:02	3	A. It would be possible with the LVNR for 01:12:41
4	A. I differ with his opinion because I 01:10:04	4	him to connect his hands. Like I said, there are 01:12:44
5	it just has all the clear hallmarks of a rear 01:10:07	5	variances in bodies and different things. People 01:12:48
6	naked choke, you know. The placement of the 01:10:10	6	have long arms, short arms, big necks, little 01:12:52
7	arms. You know, whether or not what I can do 01:10:12	7	necks, but yes, he would be able to, if he 01:12:55
8	for you, I can clearly define what an LVNR is, 01:10:17	8	encircled with his left hand, he would be able to 01:12:58
9	but in definition of a rear naked choke there's 01:10:21	9	complete the LVNR hand grip off to the to the 01:13:01
10	certain hallmarks to it. The placement. You 01:10:25	10	side and to the rear of his opponent's head. 01:13:05
11	know, of course, there's the encirclement of the 01:10:28	11	Q. Even if he's laying on his right side? 01:13:08
12	arm, but there's also the way that compression is 01:10:31	12	A. Yes. If he's if he's lying on his 01:13:12
13	applied and the placement of the hands, and from 01:10:35	13	right side and Mr. Farmer is on his left side or 01:13:17
14	the video that I examined I can clearly see that, 01:10:38	14	are you talking about both people lying on on 01:13:20
15	you know, the hand is on the back of Mr. Farmer's 01:10:42	15	their left side? 01:13:23
16	head, and that there are no elbows behind Officer 01:10:44	16	Q. If they're both lying on their right 01:13:25
17	Lopera's head. It just looks to me like it's a 01:10:49	17	side, but Officer Lopera had his encircling arm 01:13:27
18	rear naked choke. I don't have any trouble 01:10:51	18	with his left arm? 01:13:32
19	14	19	A. Yes. If he was lying on their right 01:13:33
1	identifying it. 01:10:54		
20	Q. In your opinion, what is the purpose of 01:10:57	20	side. Well, you would have to have your arm out 01:13:36
	, ,	20 21	side. Well, you would have to have your arm out 01:13:36 from underneath yourself, but. 01:13:39
20	Q. In your opinion, what is the purpose of 01:10:57	i	
20 21	Q. In your opinion, what is the purpose of 01:10:57 the LVNR techniques requirement that the hands 01:11:02	21	from underneath yourself, but. 01:13:39
20 21 22	Q. In your opinion, what is the purpose of 01:10:57 the LVNR techniques requirement that the hands 01:11:02 are clasped together? 01:11:04	21 22	from underneath yourself, but. 01:13:39 Q. Makes it more difficult. Right? 01:13:42
20 21 22 23 24	Q. In your opinion, what is the purpose of 01:10:57 the LVNR techniques requirement that the hands 01:11:02 are clasped together? 01:11:04 A. Well, the hand group is to ensure 01:11:06 alignment of the forearms, and it aids you in 01:11:08	21 22 23	from underneath yourself, but. 01:13:39 Q. Makes it more difficult. Right? 01:13:42 A. It would be, yes. 01:13:44 Q. Is it possible that when a 32 year 01:13:45
20 21 22 23	Q. In your opinion, what is the purpose of 01:10:57 the LVNR techniques requirement that the hands 01:11:02 are clasped together? 01:11:04 A. Well, the hand group is to ensure 01:11:06 alignment of the forearms, and it aids you in 01:11:08	21 22 23 24	from underneath yourself, but. 01:13:39 Q. Makes it more difficult. Right? 01:13:42 A. It would be, yes. 01:13:44 Q. Is it possible that when a 32 year 01:13:45

1 Combative situations with a suspect? 01:13:56 2 A. Yes.	١.			
3 Q. Harve you ever attempted to employ any 0:113-29 4 type of ground combative technique and it did not 0:114-08 5 go as planners? times. 0:114-08 6 A. Yes. Many times. 0:114-09 7 Q. Is the standard of objectively 0:114-10 8 reasonable, does that require 100 percent 0:114-15 9 perfection in the techniques that law enforcement 0:114-18 10 officers use? 0:114-02 11 A. Well, you know, the reasonable — 0:114-21 12 reasonable former effers to not only your 0:114-25 13 technique, but your decision making, but I mean, 0:114-28 14 1—yes, you don't have to be right. You have 0:114-30 15 to be reasonable is the gist of that. 0:114-32 16 Q. Reasonable for Officer Lopera to not 0:114-32 16 Q. Reasonable for Officer Lopera to not 0:114-32 17 have perfectly executed the LVNR (fith— effiche 0:114-43 18 suspect is actively resisting and/or moving his 0:14-48 19 head and connecting his head with Officer Lopera 0:114-57 21 that could happen, but the thing that— to 0:114-59 22 cann foll an attempted i. Verk, but there are certain 0:115-05 24 things that must be present for it to be an LVNR. 0:115-02 25 I mean, all cars have four wheels, but you know, 0:115-05 24 things that must be present for it to be an LVNR. 0:115-02 25 I mean, all cars have four wheels, but you know, 0:115-05 26 things that must be present for it to be an LVNR. 0:115-02 27 condition of an LVNR. 0:115-04 28 the neck brace principle, those things are — are 0:115-04 30 they're not all Ferraris. So you have, you know, 0:115-05 4 things that must be present for it to be an LVNR. 0:115-05 5 things that must be present for it to be an LVNR. 0:115-02 5 for the definition of an LVNR. content of the same 0:115-04 10 definition of an LVNR. content of the same 0:115-05 11 may be read to the content of the same 0:115-05 12 our content of the content of the content of the same 0:115-05 13 the content of the co	1	combative situations with a suspect? 01:13:56	1	testified already in terms of the similarities 01:16:26
4 A. Okay. 01:16:33 5 go as planned? 01:14:08 6 A. Yes. Many times. 01:14:09 7 Q. Is the standard of objectively 01:14:10 8 reasonable, does that require 100 percent 01:14:18 10 officers use? 01:14:21 11 A. Well, you know, the reasonable — 01:14:21 12 reasonable force refers to not only your 01:14:25 13 technique, but your decision making, but I mean. 01:14:25 14 I — yes, you don't have to be right. You have 01:14:30 15 to be reasonable is the gist of that. 01:14:25 16 Q. Reasonable for Officer Lopers to not 01:14:35 17 have perfectly executed the LVNR if the — if the 01:14:31 28 suspect is actively resisting and/or moving his 01:14:48 18 suspect is actively resisting and/or moving his 01:14:48 19 head and connecting his head with Officer Lopers 01:14:59 21 that could happen, but the thing that — to 01:14:59 22 remember is is that, you know, many, many things 01:15:50 23 can foil an attempted LVNR, but there are certain 01:15:01 24 things that must be present for it to be an LVNR. 01:15:14 25 things that must be present for it to be an LVNR. 01:15:14 26 things that must be present for it to be an LVNR. 01:15:14 27 throat area because wouldn't he have slipped into 01:17:10 28 the next brace principle, those the hings are — are 01:15:30 3 bilateral compression of the sides of the neck, 01:15:22 3 can fit they're not, it's something else. 01:15:31 3 bilateral compression of the sides of the neck, 01:15:22 5 things that must be present for it to be an LVNR. 01:15:21 5 that could happen hut the hing mater — it of 10:15:52 5 the neck because principle, those to get the definitive of its part and the definition of an LVNR on the mater and to of 01:15:32 5 the neck because principle, those ten get the definitive of its part and the opposite of decay the solution of an LVNR on the mater and to of 01:15:32 5 to mores. I couldn't tell you one specific 01:15:43 6 to more than the contract of the definitive of a rear naked choke? 01:15:43 6 to more than the contract of the definitive of a rear anked choke? 01:15:43 6 to mor	2	A. Yes. 01:13:59	2	between the LVNR and what Officer Lopera did. 01:16:28
5 go as planned?	3	Q. Have you ever attempted to employ any 01:13:59	3	Okay? 01:16:32
6 A. Yes, Many times. Ol:14:09 7 Q. Is the standard of objectively 01:14:10 8 reasonable, focus that require 100 percent 01:14:15 10 officers use? Ol:14:21 11 A. Well, you know, the reasonable — 01:14:21 12 reasonable force refers to not only your 01:14:25 13 terchnique, but your decision making, but I mean. 01:14:25 14 1yes, you don't have to be right. You have 01:14:30 15 to be reasonable is of the gist of that. Ol:14:21 15 to be reasonable for Officer Lopers to not 01:14:36 16 Q. Reasonable for Officer Lopers to not 01:14:36 17 have perfectly executed the LVNR if the —if the 01:14:41 18 usupect is actively resisting and/or moving his 01:14:57 20 A. Yes. It would be reasonable to say that 01:14:57 21 that could happen, but the thing that — to 01:14:59 22 comember is that, you know, many, many things 01:15:02 23 can foil an attempted LVNR, but there are certain 01:15:05 24 things that must be present for it to be an LVNR. 01:15:12 25 I mean, all cans have four wheels, but you know, 01:15:12 26 and if they're not, if's something else. Ol:15:34 They're not all Ferraris. So you have, you know, 01:15:41 Officer Lopers (11:54) They are not all Ferraris. So you have, you know, 01:15:41 Officer Lopers (11:54) A. Yes. Ol:15:43 Ol:16:40 Ol:14:21 Ol. (Asy. You can't tell either way 01:16:43 In all they was or was not? 01:16:48 In all they was or was not? 01:16:48 In LynR, wouldn't there be some damage to the 01:17:02 Throat area because wouldn't he have slipped into 01:17:02 Throat area because wouldn't he have slipped into 01:17:10 In a many because of desth, absolutely, you would see that 01:17:10 I have perfectly executed the LVNR. but there are certain 01:15:05 A find you have you know, 01:15:05 A find you have you know, 01:15:05 A find you have you know, 01:15:05 A find you have you have you know, 01:15:05 A find you have you have you know, 01:15:05 A find you have you hav	4	type of ground combative technique and it did not 01:14:04	4	A. Okay. 01:16:33
7 Q. Is the standard of objectively 01:14:10 8 reasonable, does that require 100 percent 01:14:15 9 perfection in the techniques that law enforcement 01:14:12 10 Gheers use? 01:14:21 11 A. Well, you know, the reasonable 01:14:25 13 technique, but your decision making, but I mean, 01:14:25 13 technique, but your decision making, but I mean, 01:14:28 14 -yes, you don't have to be right. You have 01:14:25 15 too be reasonable is the gist of that. 01:14:23 16 Q. Reasonable is the gist of that. 01:14:25 17 too be reasonable is the gist of that. 01:14:25 18 too be reasonable is the gist of that. 01:14:25 18 too be reasonable is the gist of that. 01:14:25 18 too be reasonable is the gist of that. 01:14:25 18 too be reasonable is the gist of that. 01:14:25 18 too be reasonable is the gist of that. 01:14:25 18 too be reasonable is the gist of that. 01:14:29 18 too be reasonable is the gist of that. 01:14:29 18 too be reasonable is the gist of that. 01:14:29 18 too be reasonable is the gist of that. 01:14:29 19 too be reasonable is the gist of that. 01:14:29 19 too be reasonable is the gist of that. 01:14:29 19 too be reasonable is the gist of that. 01:14:29 19 too be reasonable is the gist of that. 01:14:29 19 too be reasonable is the gist of that. 01:14:29 19 too be reasonable is the gist of that. 01:14:30 10:14:3	5	go as planned? 01:14:08	5	Q. So he had his left arm encircling the 01:16:33
8	6	A. Yes. Many times. 01:14:09	6	neck. He had the elbow lined up with the chin. 01:16:37
9 couldn't see that. 01:16:42 10 officers use? 01:14:21 11 A. Well, you know, the reasonable 01:14:25 12 reasonable force refers to not only your 01:14:25 13 rechnique, but your decision making, but I mean, 01:14:28 14 yes, you don't have to be right. You have 01:14:30 15 to be reasonable is the gist of that. 01:14:32 16 Q. Reasonable for Officer Lopera to not 01:14:36 17 have perfectly executed the LVNR if theif the 01:14:31 18 usapect is actively resisting and/or moving his 01:14:38 19 head and connecting his head with Officer Lopera? 01:14:39 10 A. Yes. I would be reasonable to say that 01:15:09 22 remember is is that, you know, many, many things 01:15:09 23 Theat and the same and the s	7	Q. Is the standard of objectively 01:14:10	7	Correct? 01:16:40
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11 A. Well, you know, the reasonable 01:14:21 12 reasonable force refers to not only your 01:14:25 13 technique, but your decision making, but I mean, 01:14:28 14 I - yes, you don't have to be right. You have 01:14:30 15 to be reasonable is the gist of that. 01:14:32 15 to be reasonable is the gist of that. 01:14:32 15 to be reasonable is the gist of that. 01:14:32 15 to be reasonable is the gist of that. 01:14:32 15 to be reasonable is the gist of that. 01:14:32 16 Q. Rosanable for Officer Lopera to not 01:14:35 17 throat area because wouldn't he have slipped into 01:17:06 18 suspect is actively resisting and/or moving his 01:14:43 18 an arm bar that you're concerned about? 01:17:10 19 A. Yes. It would be reasonable to say that 01:14:57 19 A. Yes. It would be reasonable to say that 01:14:57 19 A. Yes. It would be reasonable to say that 01:14:57 19 an LVNR, but there are certain 01:15:05 19 an LVNR, but there are certain 01:15:05 19 an LVNR 01:15:05 19 an LVNR 01:15:05 19 an LVNR 01:17:14 19 an LVNR 01:17:15 19 an LVNR 01:17:16 19 a	9	perfection in the techniques that law enforcement 01:14:18	9	I couldn't see that. 01:16:42
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12 reasonable force refers to not only your 01:14:25 13 technique, but your decision making, but I mean, 01:14:28 14 1yes, you don't have to be right. You have 01:14:32 15 to be reasonable is the gist of that. 01:14:32 16 Q. Reasonable for Officer Lopera to not 01:14:36 17:02 18 suspect is actively resisting and/or moving his 01:14:48 18 suspect is actively resisting and/or moving his 01:14:48 19 head and connecting his head with Officer Lopera? 01:14:57 12 that could happen, but the thing that to 01:14:59 12 that could happen, but the thing that to 01:14:59 12 that could happen, but the thing that to 01:14:59 12 things that must be present for it to be an LVNR. 01:15:05 12 things that must be present for it to be an LVNR. 01:15:05 12 things that must be present for it to be an LVNR. 01:15:24 12 things that must be present for it to be an LVNR. 01:15:27 13 things that must be present for it to be an LVNR. 01:15:27 14 things that must be present for it to be an LVNR. 01:15:27 15 things that must be present for it to be an LVNR. 01:15:27 15 things that must be present for it to be an LVNR. 01:15:30 12 2	11	A. Well, you know, the reasonable 01:14:21	11	
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```
1 would not apply pressure to the sides of the
                                                                                                                      01:21:14
 1 to the back of the head, whether it's your hand
                                                  01:18:46
 2 or your head, and you're pulling hard to the rear 01:18:48
                                                                     2 neck, but you would maintain your encirclement
                                                                                                                         01:21:16
 3 and then compressing the sides of the neck. It's 01:18:51
                                                                     3 until you could gain control and get handcuffs
 4 kind of a -- you know, those three things
                                                                        applied to the subject.
   combined to give you the most pressure that you 01:18:56
                                                                          Q. And you testified earlier that you had
                                                                                                                    01:21:24
 6 can get. We -- you know, with just the single
                                                                        seen the timeline in either the arrest report or 01:21:27
                                                  01:18:59
 7 arm encirclement and then whatever you can get
                                                                       in the FIT report with respect to the words that 01:21:30
                                                                       were said at what point on the body cam?
 8 from a biceps curl, as you described it, you
                                                 01:19:05
                                                                                                                      01:21:34
   know, just applying -- forcing that forearm
                                                 01:19:08
                                                                          A. Yes.
   toward the stationary biceps, you're going to get 01:19:12
                                                                    10
                                                                          Q. And Mr. Sayre asked you if you recall a 01:21:38
                                                                    11 section where -- and he referenced some point 44 01:21:42
11 what you're going to get, depending on what your 01:19:15
                                                                        or 46 seconds later that the hold was released. 01:21:45
   strength level is, you know.
                                                                       Do you remember that?
      Q. And I'm asking you, do you think that's 01:19:18
                                                                                                                 01:21:48
13
   -- that technique can afford an officer more
                                                                    14
                                                                          A. Yes.
                                                                                                          01:21:49
                                                                    15
                                                                          Q. Do you have an opinion as to whether the 01:21:50
    pressure or less pressure on the neck than with
                                                 01:19:27
16 the LVNR?
                                        01:19:31
                                                                       hold being released was Ken Lopera removing his 01:21:56
      A. I think it would be less pressure. If 01:19:33
                                                                        arm from Tashii Farmer or whether that meant he 01:22:00
18 you just had a one arm encirclement and you're
                                                                        was releasing pressure around his neck?
                                                                                                                     01:22:04
    just relying on moving your forearm towards your 01:19:38
                                                                    19
                                                                           A. Well, like I said, you have no idea --
20 biceps, you're going to get less pressure than if 01:19:41
                                                                        you have no way to tell whether or not he was
                                                                        compressing the sides of the neck while he was -- 01:22:13
   you were to apply pressure to the back of the
    head as in a rear naked choke or if you were to
                                                                        while he was sill encircling. There's no way to 01:22:16
23
   clasp your hands like an LVNR and push forward
                                                                        know that. Certainly when he releases, you know, 01:22:21
   with your head.
                                                                    24 takes his arm from Mr. Farmer's neck there's no 01:22:24
25
                                                                    25 more contact, so there's absolutely no pressure, 01:22:28
      Q. Okay. Relative to your opinion six, and 01:19:53
                                                           Page 62
                                                                     1 but as far as how he was regulating that pressure 01:22:30
 1 I don't need you to look at it for just a minute, 01:19:59
                                                                     2 or if he had ceased all pressure at that point, I 01:22:34
 2 can -- you don't have -- well, do you have any
 3 evidence that the Officer Lopera did not release 01:20:07
                                                                        don't know.
   the pressure on the neck when he was directed to 01:20:15
                                                                           Q. You testified -- you stated earlier, I
                                                                                                                        01:22:38
                                                                     5
                                                                       think, that you've never testified in court
                                                                                                                         01:22:47
                                            01:20:17
 5 by Sergeant Crumrine?
                                                                        relative to use of force?
                                                                                                                   01:22:50
 6
      A. No.
                                     01:20:19
                                                                     7
 7
          Can anyone look at the video and tell
                                                 01:20:21
                                                                           A. Right. I have not.
                                                                                                                  01:22:52
 8
                                    01:20:23
                                                                     8
                                                                           Q. And this is your first -- did you mean
                                                                                                                          01:22:54
   that?
                                     01:20:23
                                                                        that in a -- like a civil case, or have you never 01:22:57
 9
      A. No.
                                                                        testified even in a criminal case in your
                                                                                                                          01:23:01
10
      Q. Does the fact that Officer Lopera kept 01:20:26
                                                                        professional capacity?
                                                                                                                    01:23:03
11 his encircling arm around Mr. Farmer's neck while 01:20:30
                                                                    11
                                                                    12
                                                                           A. Oh, I've testified in a lot of criminal 01:23:04
    they were controlling him and handcuffing him,
   does that indicate to you that there was pressure 01:20:38
                                                                        cases, and I've testified in cases where I've
                                        01:20:40
                                                                        used force and other officers have used force,
                                                                                                                             01:23:08
14
    or no pressure?
                                                                        but I've never testified in a -- in a civil
                                                                                                                       01:23:12
                                              01:20:41
                                                                    15
15
      A. It doesn't indicate that there was
16 pressure or no pressure. You know, you can't
                                                                        capacity or as an expert witness before.
                                                                                                                          01:23:17
                                                                           Q. Understood. It would have been shocking 01:23:19
17 tell.
      Q. Isn't it true that Metro's policies and 01:20:46
                                                                        to me if you hadn't testified in your
                                                                                                                        01:23:24
18
                                                01:20:51
                                                                    19
                                                                         professional capacity. I understand now.
                                                                                                                           01:23:26
    procedures dictate that an officer in Ken
                                                                    20
                                                                                                              01:23:27
    Lopera's position maintain the encircling arm
                                                  01:20:58
                                                                    21
                                                                           Q. Have you ever investigated use of force
21 until his partners can control the suspect and
                                                 01:21:01
                                                                    22
                                                                        within your own department or within another
                                                                                                                               01:23:33
    get him into handcuffs?
                                           01:21:04
23
      A. Yes. In LVNR training they would have
                                                                    23
                                                                         department?
                                                                    24
                                                                           A. Yes. That's one of the things I'm
    been trained that level one minus would be the
                                                                                                                         01:23:36
                                                                    25 tasked with here at the Clinton Police
                                                                                                                          01:23:38
25 fall back after a subject stops resisting. You
                                                           Page 63
                                                                                                                               Page 65
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		Γ	
ı	Department, I investigate all use of force 01:23:39	i	recommendations and send you out the door, and 01:26:10
2	complaints. 01:23:42	2	then at your agency that's your responsibility to 01:26:11
3	Q. And have you ever investigated a use of 01:23:45	3	take care of that. And if you don't, then, you 01:26:16
4	force complaint with respect to a lateral 01:23:50	4	know, we stand by we can just tell you that, 01:26:21
5	vascular neck restraint? 01:23:53	5	you know, that's what we recommend. That's been 01:26:24
6	A. No. 01:23:54	6	our experience that our best practices, if you 01:26:27
7	Q. Have you ever investigated a use of 01:23:56	7	will, for training and maintenance. 01:26:30
8	force complaint with respect to any choke hold or 01:23:58	8	Q. Do you consider it your best practices 01:26:33
9	neck restraint? Kind of, you know, broad 01:24:01	9	to require four hours of refresher training every 01:26:37
10	ambiguous language there. 01:24:05	10	year? 01:26:39
11	A. No. Not on I have not. 01:24:06	11	A. It is. 01:26:39
12	Q. So in 32 years, no police officer in 01:24:08	12	Q. And isn't it true that LVMPD does not 01:26:40
13	Clinton, Missouri has ever had a complaint 01:24:13	13	conduct four hours of training every year? Isn't 01:26:45
14	related to a neck restraint? 01:24:17	14	it the testimony in this case? 01:26:48
15	A. No, and we just started using LVNR here 01:24:19	15	A. That's what I read, is that they conduct 01:26:49
16	in Clinton about ten years ago, and we're a small 01:24:22	16	two hours. 01:26:51
17	town and we don't have a lot of occurrences. The 01:24:27	17	Q. And so that's against the best practices 01:26:51
18	ones we've had, no one's complained about it. 01:24:30	18	of your organization. Right? 01:26:56
19	O. It's my understanding that let me ask 01:24:33	19	A. We recommend four hour recertify every 01:26:58
20	what you're not giving an opinion about. You're 01:24:36	20	year. We do realize that, you know, some 01:27:02
21	not giving an opinion about whether Tashii Farmer 01:24:38	21	agencies don't have that kind of time and to 01:27:05
22	should have been stopped, should not have been 01:24:43	22	dedicate to those kind of things, and it's just 01:27:07
23	stopped, things like that? 01:24:45	23	been you know, it's not anything that we 01:27:11
24	A. Right. I'm not. 01:24:47	24	prohibit. It's just that we have these 01:27:13
25	Q. Okay. You're not giving an opinion and 01:24:48	25	recommendations, and we we recommend four 01:27:15
25	Page 66	23	Page 68
1	will not give an opinion related to any crimes or 01:24:52	1	hours. 01:27:18
1 2		1 2	hours. 01:27:18 Q. So I mean, a 50 percent production in 01:27:18
l .		1	
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2 3	alleged crimes that Tashii Farmer had committed 01:24:55 or was perceived to commit? 01:24:59	2 3	Q. So I mean, a 50 percent production in 01:27:18 training time, that seems significant to me. Is 01:27:25
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	alleged crimes that Tashii Farmer had committed o1:24:55 or was perceived to commit? 01:24:59 A. No. 01:25:01 Q. Is that because you weren't asked to o1:25:05 provide those opinions, or was there something o1:25:07 that you didn't feel comfortable about providing o1:25:09 those opinions? 01:25:12 A. No, I just wasn't asked to do that. 01:25:12 That wasn't part of my job. 01:25:14 Q. Okay. How often does your organization, O1:25:15 the National Law Enforcement Training Center, o1:25:25 require officers to train in the utilization of 01:25:29 the LVNR in order to be authorized to use the 01:25:35 LVNR? 01:25:38 A. We recommend that officers train every 01:25:39 year. 01:25:41 Q. If officers don't train every year, 01:25:42 would your organization, would it pull the 01:25:46 authorization and say you're no longer authorized 01:25:56 A. We don't monitor, obviously, I mean, on 01:25:58 national on a national basis who's doing that 01:26:02	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. So I mean, a 50 percent production in 01:27:18 training time, that seems significant to me. Is 01:27:25 that not significant to LVMPD? 01:27:27 A. Well, you know, it is, but it would 01:27:30 depend on how the training was conducted. I can 01:27:34 tell you being an academy trainer since 1999, you 01:27:36 know, when I do in service stuff, depends on how 01:27:40 the training's structured and how it's how 01:27:43 it's conducted, and you know, the big thing for 01:27:46 me is that they have a remedial program. So if 01:27:50 the two hours would not be adequate for the Las 01:27:53 Vegas PD or any other agency that has that is 01:27:57 doing less than four hours, there's an apparatus 01:28:00 to deal with that. So if the officer leaves 01:28:04 there, concludes the training and they're not 01:28:08 operating at an adequate level, then that's 01:28:10 addressed in policy, and the officer has to go to 01:28:15 remedial training until they are doing trained 01:28:19 to standard. 01:28:21 Q. How does an agency become approved to 01:28:22 say they use the LVNR? 01:28:30 A. Well, you need to have a certified 01:28:34

1	goal is to create trainers to to be imbedded 01:28:42	1	trainer comes from Metro and becomes an 01:31:07
2	in police departments. We believe that an agency 01:28:47	2	authorized trainer, why can he not train someone 01:31:11
3	that has its own trainers on staff is a better 01:28:50	3	from Henderson or North Las Vegas Police 01:31:15
4	trained agency and has more opportunities to 01:28:54	4	Department? 01:31:17
5	train. So we, in general, don't provide end user 01:28:57	5	A. I don't know. That's just Mr. Lindell, 01:31:18
6	training. We do instructor training. 01:29:00	6	who owned NLETC, those have been his standards 01:31:21
7	Q. I'm sorry, but when you say end user, 01:29:02	7	for a long time. I don't know. 01:31:25
8	you mean the actual patrol officers? 01:29:04	8	Q. So I mean 01:31:26
9	A. Yes. The actual patrol officers. 01:29:06	9	A. Theoretically they could, and you know, 01:31:29
10	Q. You're train you're a trainer 01:29:09	10	I know that chiefs direct their trainers to train 01:31:31
11	organization? 01:29:11	11	other people, and they have people come to their 01:31:34
12	A. We are, and so you would send an 01:29:12	12	agency to train and certify people, so you know, 01:31:36
13	officer, if you were a you know, running a 01:29:14	13	I don't know why they couldn't do that. 01:31:41
14	training academy or you're a police 01:29:17	14	Q. Are you compensated as the president of 01:31:44
15	administrator, you would send an officer to us to 01:29:19	15	NLETC? 01:31:48
16	become a certified trainer. We meet annually in 01:29:22	16	A. No, not until I teach a class. So if I 01:31:48
17	Kansas City in July, and we have a six day 01:29:25	17	go 01:31:51
18	seminar there, or you could host a seminar and we 01:29:28	18	Q. Is Mr 01:31:52
19	would come there and and conduct a seminar. 01:29:32	19	A. I'll be in Seattle. Like next month I 01:31:54
20	And your officers at your agency could attend, 01:29:35	20	go to Seattle and I'll teach an LVNR class there, 01:31:57
21	and you know, it could be a regional training and 01:29:38	21	and I get paid for that. 01:32:02
22	they would become certified as a trainer. The 01:29:42	22	Q. Okay. And does Mr. Lindell get paid by 01:32:04
23	certification is for three years, and at the end 01:29:45	23	NLETC? 01:32:11
24	of the three year period or before, you know, we 01:29:49	24	A. He's retired and he gets a portion of 01:32:11
25	would, you know, expect you to recertify if 01:29:53	25	a percentage of the money that NLETC makes. 1 01:32:13
	Page 70		Page 72
١,	you're going to continue using the system. 01:29:55		
1	you to going to continue doing the system.	1	think it's 15 percent, something like that, of 01:32:17
2	Q. How much does it cost for me to send a 01:29:57	2	what he gets from all of our proceeds. 01:32:17
	5 3	2	
2	Q. How much does it cost for me to send a 01:29:57	2	what he gets from all of our proceeds. 01:32:19
2 3	Q. How much does it cost for me to send a 01:29:57 trainer to NLETC to become authorized to train 01:30:0	2 0 3	what he gets from all of our proceeds. 01:32:19 Q. How is it that NLETC is not for profit 01:32:22
2 3 4	Q. How much does it cost for me to send a 01:29:57 trainer to NLETC to become authorized to train the LVNR? 01:30:06	2 0 3 4	what he gets from all of our proceeds. 01:32:19 Q. How is it that NLETC is not for profit 01:32:22 then? 01:32:29
2 3 4 5	Q. How much does it cost for me to send a 01:29:57 trainer to NLETC to become authorized to train 01:30:06 the LVNR? 01:30:06 A. Five hundred twenty-five dollars. 01:30:06	2 0 3 4 5	what he gets from all of our proceeds. 01:32:19 Q. How is it that NLETC is not for profit 01:32:22 then? 01:32:29 A. We just have a volunteer board, and I'm 01:32:30
2 3 4 5 6	Q. How much does it cost for me to send a 01:29:57 trainer to NLETC to become authorized to train 01:30:06 the LVNR? 01:30:06 A. Five hundred twenty-five dollars. 01:30:06 Q. And how long is that training for? 01:30:07	2 0 3 4 5 6	what he gets from all of our proceeds. 01:32:19 Q. How is it that NLETC is not for profit 01:32:22 then? 01:32:29 A. We just have a volunteer board, and I'm 01:32:30 not I don't know. It's a 01:32:32
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. How much does it cost for me to send a 01:29:57 trainer to NLETC to become authorized to train 01:30:06 A. Five hundred twenty-five dollars. 01:30:06 Q. And how long is that training for? 01:30:07 A. Sixteen hours. 01:30:10 Q. So I send I send a trainer for 16 01:30:11 hours, two eight hours days? 01:30:17 A. Uh-huh. Yes. 01:30:18 Q. And then that trainer can train as many 01:30:19 end users, as you say, as he wants? 01:30:27 A. Yes. At their own agency. 01:30:29 Q. Right. Can that trainer go out and 01:30:30 train other agencies? 01:30:35 A. No. They would need to become an advanced trainer. So they would need to take the 01:30:42 know, and have that training experience. Be able 01:30:48 officers at their their agency before they 01:30:55 Q. What is the difference between a trainer 01:30:57	2 0 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 5 19 20 21 22 23	what he gets from all of our proceeds. Q. How is it that NLETC is not for profit Q1:32:29 A. We just have a volunteer board, and I'm 01:32:30 not I don't know. It's a 01:32:32 Q. Good question, though? 01:32:36 A. Yeah. It just it happened about ten 01:32:38 years ago, something like that, when Mr. Lindell 01:32:41 retired. I think the main reason it's a 01:32:43 nonprofit is because he wanted the business to 01:32:45 continue to operate after he died. He's 87 years 01:32:48 old now, and he just wanted it to continue on. 01:32:52 Q. Do you know whether Metro when they 01:32:56 trained their officers or their end users in the 01:33:02 LVNR, do you know if they trained it from a 01:33:04 ground position or if the training is solely 01:33:06 standing? 01:33:09 A. The lateral vascular neck restraint 01:33:10 would be trained standing, kneeling and lying on 01:33:15 the ground. 01:33:17 Q. Well, that's what that's what NLETC 01:33:18 says should happen. Right? 01:33:23

1	know. 01:33:25	1	sentence from the bottom, and I'll start to read. 01:36:10
2	Q. Fair enough. Is it true that there's 01:33:29	2	Let me know if you can't find it. It says, "In 01:36:14
3	never been any litigation related to the lateral 01:33:46	3	this position all compression of the sides to the 01:36:16
4	vascular neck restraint? 01:33:50	4	neck is immediately relaxed. However" you see 01:36:20
5	A. There's not been any successful 01:33:51	5	where I'm reading? 01:36:24
6	litigation against the lateral vascular neck 01:33:54	6	A. So it's you said it's opinion 4? 01:36:25
7	restraint, as I understand it. 01:33:58	7	Q. Page 7 of your report. 01:36:31
8	Q. Is it true that there's never been a 01:34:01	8	A. Yeah, I don't think mine are matched up 01:36:33
9	death or injury related to the use of a lateral 01:34:03	9	with yours. Do you know which opinion it's 01:36:35
10	vascular neck restraint? 01:34:06	10	under? 01:36:37
11	A. Well, when you say lateral vascular neck 01:34:08	11	Q. So it's yes. It's under opinion 4. 01:36:37
12	restraint, it's a registered trademark. We 01:34:12	12	A. Okay. 01:36:44
13	you know, and it's not the technique so much as 01:34:16	13	Q. On my starts on the bottom of Page 5. 01:36:44
	methodology and our training. So it is, you 01:34:19	14	A. Okay. Okay. I found it. Go ahead. 01:36:47
	know, an exclusive thing. The term, the term is 01:34:23	15	Q. So it says, "In this position, all 01:36:55
	thrown about anymore, kind of like everybody 01:34:26	16	compression to the sides of the neck is 01:36:58
17	calls a tissue a Kleenex, but it's true that we 01:34:29	17	immediately relaxed. However, encirclement of 01:36:59
	haven't had any deaths from anyone certified by 01:34:33	18	the neck is excuse me, encirclement of the 01:37:02
19	the National Law Enforcement Training Center in 01:34:36	19	neck is maintained while the subject is placed in 01:37:05
20	the lateral vascular neck restraint system. 01:34:38	20	handcuffs." Do you see where I'm reading? 01:37:08
21	That's true. We haven't had any deaths directly 01:34:41	21	A. Yeah, I do. I see it. Yep. 01:37:10
22	attributed to that. 01:34:45	22	Q. Okay. So that's what we were talking 01:37:25
23	Q. Except for this one. Right? 01:34:47	23	about earlier. So it is both the principle 01:37:28
24	A. Well, I don't believe Officer Lopera did 01:34:49	24	taught by NLETC and Metro to keep the encircling 01:37:34
25	an LVNR, so I wouldn't count this. 01:34:54	25	arm in place until the suspect is in handcuffs. 01:37:37
2.5	Page 74	2.5	Page 76
,	O And so the president of NI ETC instit 01:24:57	,	01.27.40
1 2	Q. And as the president of NLETC, isn't it 01:34:57 in your own interest to say that this wasn't an 01:35:00	2	Correct? 01:37:40 A. Yes. Especially if you have another 01:37:40
3	LVNR? 01:35:05		officer if you have other officers present 01:37:47
4	A. No. It wouldn't affect, you know, me or 01:35:05		that can do handcuffing for you, absolutely. We 01:37:49
5	anything one way or another. I don't like I 01:35:08	ļ	we do teach officers that it doesn't stay in 01:37:52
6	said, we're an all volunteer board, and I don't 01:35:11	6	-
7	get paid to do any of the things 01:35:16	7	
8	Q. But you get paid when you when you 01:35:18		
		8	-
9			LVNR, then we have techniques to transition to a 01:38:03
10	A. Right, but I teach a lot of different 01:35:20		handcuffing position for that. 01:38:07
11	subjects, so I wouldn't 01:35:22	11	Q. Okay. But since Officer Lopera did have 01:38:08
12	Q. And you're the president of NLETC. 01:35:24	12	• •
13	Right? 01:35:28	13	keep the encircling arm around the neck 01:38:13
14	A. Yep, I am. 01:35:28 Q. And it would be it would undercut 01:35:29	14	A. Yes. 01:38:16
	•	15	Q until the suspect was in handcuffs? 01:38:16
16		16	A. Absolutely is. 01:38:18
17	your curriculum vitae, your resume, if your 01:35:33	17	O I have no further ab I d - b 01:20:10
17	organization you were with, you know, their 01:35:37	17	Q. I have no further oh, I do have one 01:38:19
18	organization you were with, you know, their 01:35:37 marketing campaign was refuted. Right? 01:35:39	18	follow-up. Sorry. Do you know Charles Huth? 01:38:22
18 19	organization you were with, you know, their marketing campaign was refuted. Right? 01:35:39 A. No, I don't think so. I mean, I think 01:35:42	18 19	follow-up. Sorry. Do you know Charles Huth? 01:38:22 A. Yes. 01:38:29
18 19 20	organization you were with, you know, their marketing campaign was refuted. Right? 01:35:39 A. No, I don't think so. I mean, I think o1:35:42 it would still be a valid system. If someone 01:35:46	18 19 20	follow-up. Sorry. Do you know Charles Huth? 01:38:22 A. Yes. 01:38:29 Q. H-u-t-h. How do you know him? 01:38:29
18 19 20 21	organization you were with, you know, their marketing campaign was refuted. Right? 01:35:39 A. No, I don't think so. I mean, I think 01:35:42 it would still be a valid system. If someone died because of it, it would still be the lateral 01:35:50	18 19 20 21	follow-up. Sorry. Do you know Charles Huth? 01:38:22 A. Yes. 01:38:29 Q. H-u-t-h. How do you know him? 01:38:29 A. He's been a friend and fellow trainer of 01:38:33
18 19 20 21 22	organization you were with, you know, their marketing campaign was refuted. Right? 01:35:39 A. No, I don't think so. I mean, I think o1:35:42 it would still be a valid system. If someone died because of it, it would still be the lateral vascular neck restraint system. 01:35:53	18 19 20 21 22	follow-up. Sorry. Do you know Charles Huth? 01:38:22 A. Yes. 01:38:29 Q. H-u-t-h. How do you know him? 01:38:29 A. He's been a friend and fellow trainer of 01:38:33 mine for 25 years, something like that. 01:38:40
18 19 20 21 22 23	organization you were with, you know, their marketing campaign was refuted. Right? 01:35:39 A. No, I don't think so. I mean, I think o1:35:42 it would still be a valid system. If someone died because of it, it would still be the lateral 01:35:50 vascular neck restraint system. 01:35:53 Q. Let's look on Page 7 of your report. 01:35:55	18 19 20 21 22 23	follow-up. Sorry. Do you know Charles Huth? 01:38:22 A. Yes. 01:38:29 Q. H-u-t-h. How do you know him? 01:38:29 A. He's been a friend and fellow trainer of 01:38:33 mine for 25 years, something like that. 01:38:40 Q. Is he the major at Kansas City Police 01:38:45
18 19 20 21 22 23 24	organization you were with, you know, their marketing campaign was refuted. Right? 01:35:39 A. No, I don't think so. I mean, I think 01:35:42 it would still be a valid system. If someone died because of it, it would still be the lateral 01:35:50 vascular neck restraint system. 01:35:53 Q. Let's look on Page 7 of your report. 01:35:55 A. Okay. 01:35:58	18 19 20 21 22 23 24	A. Yes. 01:38:29 Q. H-u-t-h. How do you know him? 01:38:39 A. He's been a friend and fellow trainer of 01:38:33 mine for 25 years, something like that. 01:38:40 Q. Is he the major at Kansas City Police 01:38:45 Department that you got the fee schedule from? 01:38:47
18 19 20 21 22 23	organization you were with, you know, their marketing campaign was refuted. Right? 01:35:39 A. No, I don't think so. I mean, I think o1:35:42 it would still be a valid system. If someone died because of it, it would still be the lateral 01:35:50 vascular neck restraint system. 01:35:53 Q. Let's look on Page 7 of your report. 01:35:55	18 19 20 21 22 23	follow-up. Sorry. Do you know Charles Huth? 01:38:22 A. Yes. 01:38:29 Q. H-u-t-h. How do you know him? 01:38:29 A. He's been a friend and fellow trainer of 01:38:33 mine for 25 years, something like that. 01:38:40 Q. Is he the major at Kansas City Police 01:38:45

1	Q. And he offered an article called "Why 01:38:50	1	A. No. 01:41:02
2	the LVNR isn't a choke hold" in March 19th of 01:38:54	2	Q. Okay. She found a series of hemorrhages 01:41:04
3	2013. Right? 01:38:59	3	around the neck of Tashii Farmer. 01:41:09
4	A. Yeah, I remember that. 01:38:59	4	A. Okay. 01:41:12
5	Q. And this was referenced in your expert 01:39:01	5	Q. And it caused her, among other things, 01:41:12
6	report as one of the pieces of reference 01:39:03	6	to conclude that the cause of death was the 01:41:18
7	materials. Right? 01:39:06	7	restraint that was used. You have no opinion 01:41:20
8	A. Yes. 01:39:07	8	about that? 01:41:26
9	Q. And he is also the vice-president or 01:39:07	9	A. From my limited knowledge of medical 01:41:26
10	former vice-president of NLETC. Right? 01:39:12	10	implications of LVNR and different neck 01:41:30
11	A. Yeah. He was the president for several 01:39:15	11	restraints, I you know, I would I would 01:41:34
12	years. 01:39:17	12	expect to see damage to the front structures of 01:41:35
13	Q. Oh, okay. So he was the president 01:39:17	13	the throat, and you know, the larynx and the 01:41:38
14	before you? 01:39:20	14	trachea. I would expect to see damage and 01:41:44
15	A. Yeah. 01:39:20	15	hemorrhaging in, you know, in that area up front 01:41:46
16	Q. And have you talked to him about this 01:39:23	16	if that was the cause of death. 01:41:50
17	matter that you're testifying on? 01:39:26	17	MR. SAYRE: Okay. All right. I 01:41:53
18	A. I talked about him I talked about it 01:39:28	18	have nothing further. 01:41:56
19	with him only from the standpoint of me doing an 01:39:30	19	MR. MCNUTT: No questions. Thank 01:42:00
20	expert witness report in a job. I didn't I 01:39:33	20	you very much, Captain. Thank you for your time, 01:42:01
21	didn't discuss any of the details of the case 01:39:37	21	Captain Lynch. 01:42:03
22	with him, because I didn't really know that much 01:39:40	22	THE VIDEOGRAPHER: If you guys 01:42:05
23	about it in the beginning, but I just called him 01:39:42	23	would hold on to the line for just a moment. It 01:42:06
24	as a friend to ask his advice about how to go 01:39:47	24	is 3:55. This concludes today's testimony given 01:42:08
25	about doing this type of work. 01:39:51	25	by Captain Lawrence G. Lynch. We're going off 01:42:12
	Page 78		Page 80
1	Q. Unconsciousness can be achieved through 01:39:52	1	the record. The total number of media units used 01:42:15
2	either the LVNR or the rear naked choke. Right? 01:39:59	2	was two and will be retained by Vertiext Legal 01:42:18
3	A. Yes. 01:40:03	3	Solutions. 01:42:22
4	MR, MCNUTT: I have no further 01:40:04	4	MR. ANDERSON: I would like to 01:42:35
5	questions, Fred. 01:40:05	5	order a copy of the deposition. Craig Anderson. 01:42:36
6	EXAMINATION 01:40:05	6	Electronic. 01:42:49
7	BY MR. SAYRE: 01:40:05	7	MR. MCNUTT: Did you hear I want to 01:42:49
8	Q. Captain, would you expect to see a 01:40:09	8	order a PDF copy of the transcript as well? 01:42:54
9	series of hemorrhages around the neck of a person 01:40:13	9	MR. SAYRE: Electronic copy. 01:42:54
	who had had an LVNR applied to them? 01:40:16	10	(Deposition concluded at 3:55 p.m.)
11	A. No. 01:40:20	11	(Beposition constituted at 5.55 p.m.)
12	Q. Do you know if you would expect to see a 01:40:22	12	
13		13	
13	-	14	
15	A. You know, I think you could it would 01:40:31	15	
1		16	
16	•	17	
17	•		
18	them, but I don't think you would see it are 01:40:42	18	
19	you talking about bruising or 01:40:45	19	
20	Q. Yeah, bruising, hemorrhages. 01:40:47	20	
21	A. It could occur, I think, with either 01:40:49	21	
22	•	22	
23		23	
24	Q. Okay. Have you seen the coroner's 01:40:56	24	
25	report about the death of Tashii Farmer? 01:41:00	25	D 01
1	Page 79		Page 81

		A F A F A F A F A F A F A F A F A F A F
1	I declare under penalty of perjury	
2	under the laws that the foregoing is	
3	true and correct.	
4		
5	Executed on, 20,	
6	at	
7		
8		
9		
10		
11	CAPTAIN LAWRENCE G. LYNCH, III	
12		
13	Subscribed and sworn to before me	
15	Subscribed and swom to before me	
	this, 20	
17	uns, 20	
1	County of	
19	county or	
I	State of	
21	Notary Public	
22		
23	My Commission Expires:	
24		
25		
	Page 82	
1	CERTIFICATE	
2		·
3	I, Jane A. Blackerby, a Certified Court	
4	Reporter of the State of Missouri, do hereby	
5	certify:	
6	That prior to being examined the witness	
7	was by me duly sworn;	
8	That said deposition was taken down by	
9	me in shorthand at the time and place	
	hereinbefore stated and was thereafter reduced to	
	writing under my direction;	
12	That I am not a relative or employee or	
13 14	attorney or counsel of any of the parties, or a relative or employee of such attorney or counsel,	
15	or financially interested in the action.	
16	WITNESS my hand and seal this 1st day	
17	of November, 2018.	
18	0.1.01011001, 2010.	
19		
20		
21		
22		
23		
24		
25	JANE A. BLACKERBY, CCR No. 877	
23	VILLED IN BELLEVIED I, CONTINUED.	i .